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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## भाग II—खण्ड 3—उप-खण्ड (ii)

### PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)  
केंद्रीय प्राधिकारियों द्वारा जारी किये गए सांविधिक आदेश और अधिसूचनाएँ

Statutory orders and notifications issued by the Ministries of the Government of India  
(other than the Ministry of Defence) by Central Authorities  
(other than the Administration of Union Territories)

मंत्रिमंडल सचिवालय  
(कामिक और प्रशासनिक सुधार विभाग)

आदेश

नई दिल्ली, 23 मई, 1974

का० प्रा० 1318—विदेशी मुद्रा विनियमन अधिनियम, 1973 (1973 का 46) की धारा 5 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केंद्रीय सरकार, प्रत्येक उप प्रवर्तन निदेशक को, उक्त अधिनियम की धारा 42 की उप-धारा (1) के खण्ड (ख) और खण्ड (ग) के अधीन प्रवर्तन निदेशक की सभी शक्तियों का प्रयोग करने और उनके सभी कर्तव्यों का निर्वहन करने के लिए प्राधिकृत करती है।

[संख्या का० 19/19/73-ए. वी. डी-4]

के० ए० रामचन्द्रन, अवसर गचिव

CABINET SECRETARIAT  
(Department of Personnel & Admn Reforms)

ORDER

New Delhi, the 23rd May, 1974

S.O. 1318.—In exercise of the powers conferred by section 5 of the Foreign Exchange Regulation Act, 1973 (46 of 1973) the Central Govt. hereby authorises every Deputy Director of Enforcement to exercise all the powers and discharge all the duties of the Director of Enforcement under clause (b) and clause (c) of sub-section (1) of section 42 of the said Act.

[No. 19/19/73-AVD. IV]

K. L. RAMACHANDRAN, Under Secy.

भारत निर्वाचन आयोग

आदेश

नई दिल्ली, 7 मई, 1974

का० प्रा० 1319.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1971 में हुए उड़ीसा विधान सभा के लिए साधारण निर्वाचन के लिए 37-गोविन्दपुर क्षेत्र निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री

विजयाराम मिश्रा, स्थान श्रीनतपुर, डाकखाना बैरोई, जिला कटक, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अश्विन अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री विजयाराम मिश्रा को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० उड़ीसा-वि०सं०/37/71]

## ELECTION COMMISSION OF INDIA

### ORDER

New Delhi, the 7th May, 1974

S.O. 1319.—Whereas the Election Commission is satisfied that Shri Bijayaram Mishra, At-Olatpur, P. O. Bairoi, District Cuttack a contesting candidate for election to the Orissa Legislative Assembly from 37-Gobindpur constituency, held in March, 1971 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, the said candidate even after the due notice has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure.

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bijayaram Mishra to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. OR-LA/37/71]

### आदेश

नई दिल्ली, 10 मई, 1974

का० प्रा० 1320.—यतः, निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 में हुए महाराष्ट्र विधान सभा के लिए साधारण निर्वाचन के लिए 52-मुरबद निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री श्रीकृष्ण शंकर दिगे, पाठक निवास, प्लाट संख्या 29, पिनसेंट सक्सेयर, स्ट्रीट नं० 1, दादर, बम्बई-14 (मध्य रेलवे) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा अश्विन अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

और यतः, उक्त उम्मीदवार ने, उसे सम्यक् सूचना दिए जाने पर भी, अपनी इस असफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है;

अतः, अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री श्रीकृष्ण शंकर दिगे को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० महाराष्ट्र-वि०सं०/52/72 (60)]

### ORDER

New Delhi, the 10th May, 1974

S.O. 1320.—Whereas the Election Commission is satisfied that Shri Shrikrishna Shankar Dighe, Pathak Niwas, Plot No. 29, Vincent Square, Street No. 1, Dadar, Bombay-14 (C. Rly) a contesting candidate in the general election held in March, 1972, to the Maharashtra Legislative Assembly from 52-Murbad constituency, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Shrikrishna Shankar Dighe to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-LA/52/72/(60)]

### गुडि-पत्र

नई दिल्ली, 14 मई, 1974

का० प्रा० 1321.—भारत निर्वाचन आयोग की अधिसूचना सं० 154/आ०प्र०/74, तारीख 3 अप्रैल, 1974 में शब्द और श्रृंखला "11 मार्च, 1974" के स्थान पर "18 मार्च, 1974" पढ़ा जाए।

[सं० 154/आ०प्र०/74]

वी० नागसुब्रमण्यन्, सचिव

### CORRIGENDUM

New Delhi, the 14th May, 1974

S.O. 1321.—In the Election Commission of India, notification No. 154/AP/74, dated the 3rd April, 1974, for the words and figures "11th March, 1974", read "18th March, 1974".

[No. 154/AP/74]

V. NAGASUBRAMANIAN, Secy.

### वित्त मंत्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली, 30 अप्रैल, 1974

### आयकर

का० प्रा० 1322.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित श्रेणी की भारतीय चिकित्सा अनुसंधान परिषद्, विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (2) के प्रयोजनों के लिए अनुमोदित किया गया है।

## संस्था

न्यूट्रिशन सोसाइटी आफ इण्डिया, हैदराबाद

यह अधिसूचना 1-4-73 से प्रभावी होगी।

[सं० 604 (फा० सं० 203/26/74-आई०टी०ए० 2)]

## MINISTRY OF FINANCE

(Department of Revenue & Insurance)

New Delhi, the 30th April, 1974

## INCOME-TAX

**S.O. 1322.**—It is hereby notified for general information that the institution mentioned below has been approved by Indian Council of Medical Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

## INSTITUTION

Nutrition Society of India, Hyderabad

This notification will take effect from 1-4-73.

[No. 604 (F. No. 203/26/74-ITA. II)]

नई दिल्ली, 7 मई, 1974

**का० प्रा० 1323.**—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि निम्न वर्णित संस्था को, वैज्ञानिक और औद्योगिक अनुसंधान परिषद् विहित प्राधिकारी, द्वारा आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के खण्ड (2) के प्रयोजनों के लिए अनुमोदित किया गया है।

## संस्था

नेहरू सेंटर, मुम्बई।

यह अधिसूचना 1 अप्रैल, 1974 से प्रभावी होगी।

[सं० 608 (फा० सं० 203/25/74-आई०टी०ए० 2)]

टी० पी० ज़ुनजुनवाला, उप सचिव

New Delhi, the 7th May, 1974

**S.O. 1323.**—It is hereby notified for general information that the institution mentioned below has been approved by Council of Scientific and Industrial Research, the prescribed authority for the purposes of clause (ii) of sub-section (1) of Section 35 of the Income-tax Act, 1961.

## INSTITUTION

Nehru Centre, Bombay

The notification takes effect from 1st April, 1974

[No. 608 (F. No. 203/25/74-ITA. II)]

T. P. JHUNJHUNWALA, Dy. Secy.

## आदेश

नई दिल्ली, 1 जून, 1974

## स्टाम्प

**का० प्रा० 1324.**—केन्द्रीय सरकार, भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उपधारा (1) के खण्ड (क) द्वारा

प्रदत्त शक्तियों का प्रयोग करते हुए, उस शुल्क से, जो पंजाब वित्तीय निगम, जल्दीगढ़ द्वारा अप्रैल, 1974 में जारी किए गए एक करोड़ और दस लाख रुपये के मूल्य के बिलों के रूप में बंधनपत्रों पर उक्त अधिनियम के अखीन प्रचार्य है, छूट देती है।

[सं० 15/74-स्टाम्प-फा० सं० 471/26/74-सीमा शुल्क 7]

जे० रामकृष्णन, अवर सचिव

## ORDER

New Delhi, the 1st June, 1974

**S.O. 1324.**—In exercise of the powers conferred by clause (a) of sub-section (1) of Section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the bonds in the form of debentures to the value of one crore and ten lakhs of rupees issued in April, 1974, by the Punjab Financial Corporation, Chandigarh, are chargeable under the said Act.

[No. 15/74-Stamp-F. No. 471/26/74-Cus. VII]

J. RAMAKRISHNAN, Under Secy.

नई दिल्ली, 1 जून, 1974

**का० प्रा० 1225.**—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण नियंत्रण और अपील) नियम, 1965 के नियम 34 के साथ पठित नियम 9 के उप-नियम (2), नियम 12 के उप-नियम (2) के खण्ड (ख) और नियम 24 के उप-नियम (1) के अनुसरण में भारत सरकार के वित्त मंत्रालय (राजस्व विभाग) की अधिसूचना सं० का० नि० प्रा० 612 तारीख 28 फरवरी, 1957 में निम्नलिखित और संशोधन करते हैं, अर्थात्:—

उक्त अधिसूचना की अनुसूची में:—

- (अ) भाग 2—साधारण केन्द्रीय सेवा, वर्ग 3 में, “सांख्यिकी और परिसूचना शाखा (केन्द्रीय उत्पादशुल्क)” शीर्षक के नीचे प्रविष्टियों में, ‘अपर भारनायक निदेशक’ शब्दों के स्थान पर, जहाँ कहीं भी ये आए हों, ‘निदेशक’ शब्द रखा जायेगा;
- (ब) भाग 3—साधारण केन्द्रीय सेवा, वर्ग 4 में, “सांख्यिकी और परिसूचना शाखा (केन्द्रीय उत्पादशुल्क)” शीर्षक के नीचे प्रविष्टियों में ‘अपर भारनायक निदेशक’ शब्दों के स्थान पर, जहाँ कहीं भी ये आए हों, ‘निदेशक’ शब्द रखा जाएगा।

[फा० सं० सी० 11016/13/74-प्रशा० 5]

त्रिलोचन दत्त, अवर सचिव

New Delhi, the 1st June, 1974

**S.O. 1325.**—In pursuance of sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 read with rule 34 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby makes the following further amendments in the notification of the Government of India in the Ministry of Finance (Department of Revenue) S.R.O. No. 612, dated the 28th February, 1957, namely:—

In the Schedule to the said notification:—

- (a) in Part II—General Central Service, Class III, in the entries under the heading “Statistical and Intelligence Branch (Central Excise)” for the words “Addi-

tional Director incharge" wherever these occur, the word "Director" shall be substituted;

- (b) in Part III—General Central Service, Class IV, in the entries under the heading "Statistical and Intelligence Branch (Central Excise)" for the words "Additional Director incharge" wherever these occur, the word "Director" shall be substituted.

[F. No. C. 11016/13/74-Ad. V.]

T. DUTT, Under Secy.

### (बैंकिंग विभाग)

नई दिल्ली, 23 मई, 1974

का० प्रा० 1326.—यतः बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 52 की उपधारा (3) की अपेक्षानुसार बैंककारी विनियमन (सहकारी समितियों) नियम 1966 में और प्रागे संशोधन करने के लिए कुछ प्रारूप नियम भारत के राजपत्र तारीख 11 मार्च, 1972 भाग 2, खण्ड 3 में उप-खण्ड (2) में पृष्ठ 1093 से 1094 तक भारत सरकार के वित्त मंत्रालय (बैंकिंग विभाग) की अधिमूचना संख्या का० प्रा० 869, तारीख 22 फरवरी, 1972 के अंतर्गत, उन सभी व्यक्तियों से जिन्हें उनसे प्रभावित होना सम्भाव्य हो 18 सितम्बर, 1972 तक आक्षेप और सुझाव आमंत्रित करते हुए, प्रकाशित किए गए थे;

और यतः राजपत्र जनता को 18 मार्च, 1972 को उपलब्ध कर दिया गया था;

और यतः, जनता से कोई आक्षेप या सुझाव प्राप्त नहीं हुए हैं;

अतः अब, उक्त अधिनियम की धारा 56 के साथ पठित धारा 52 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करके, बैंककारी विनियमन (सहकारी समितियों) नियम 1966 में और प्रागे संशोधन करने के लिए एनद्वारा निम्नलिखित नियम बनाती है, अर्थात्:—

1. (1) इन नियमों का नाम बैंककारी विनियमन (सहकारी सोसाइटी) नियम, 1974 होगा।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. बैंककारी विनियमन (सहकारी सोसाइटी) नियम, 1966 (जिसे इसमें इसके पश्चात् उक्त नियम कहा गया है) में, नियम 5 के स्थान पर, निम्नलिखित नियम प्रतिस्थापित किया जायेगा, अर्थात्:—

"3. बाधियों और नक़्क़ आरक्षित तथा अन्य प्राप्तियों के विवरण का फार्म—

अधिनियम की धारा 18 और धारा 24 की उपधारा (3) के अधीन भेजी जाने वाली विवरणी प्रारूप I में होगी और अधिनियम की धारा 20 की उपधारा (2) के अधीन भेजी जाने वाली विवरणी प्रारूप II में होगी।"

3. उक्त नियमों के नियम 9 के स्थान पर, निम्नलिखित नियम प्रतिस्थापित किया जायेगा, अर्थात्:—

"9. अन्य विवरणियां—धारा 26 और धारा 27 की उप-धारा

(1) के अधीन भेजी जाने वाली विवरणियां क्रमशः प्रारूप VIII और प्रारूप IX में होंगी"

4. उक्त नियमों में संलग्न प्रारूप I के स्थान पर, निम्नलिखित प्रारूप प्रतिस्थापित किया जायेगा, अर्थात्:—

"बैंककारी विनियमन (सहकारी सोसाइटी) नियम, 1966

प्रारूप I (नियम 5 देखिए)

[धारा 18 और 24(3)]

सहकारी बैंक का नाम

नाम—

विवरण भेजने वाले अधिकारी का/

अधिकारियों के नाम और पदाभिधान

(निकटतम हजार तक पूर्णंकित)

कारबार बंद होने पर

| पहले     | दूसरे    | तीसरे    | चौथे     | पांचवें  |
|----------|----------|----------|----------|----------|
| शुक्रवार | शुक्रवार | शुक्रवार | शुक्रवार | शुक्रवार |
| को       | को       | को       | को       | को       |
| (@)      | @        | (@)      | @        | @        |
| 1        | 2        | 3        | 4        | 5        |

क. भारत में बाधित %\*

- मांगदेय
- सीयादी
- जोड़ (क 1 + क 2)

ख. भारत में प्राप्तियों

(नक़्क़ आरक्षित)

- हाथ—नक़्क़दी +
- निम्नलिखित बैंकों में चालू खाते में प्रतिशेष

(क) भारतीय रिजर्व बैंक\*\*

(ख) भारतीय स्टेट बैंक

(ग) अधिमूचित बैंक\*\*\*

(घ) सम्बद्ध राज्य का राज्य सहकारी बैंक %

(ङ) सम्बद्ध जिले का केन्द्रीय सहकारी बैंक— \$

3. जोड़ (ख 1 + ख 2)

4. क 3 का 3 प्रतिशत + +

5. ख 3—ख 4 &

ग. अन्य प्राप्त प्राप्तियों

- निम्नलिखित बैंकों में (मद ख 2) (घ) और (ङ) से भिन्न सभी प्रकार के प्रतिशेष

(क) सम्बद्ध राज्य का राज्य सहकारी बैंक %

(ख) सम्बद्ध जिले का केन्द्रीय सहकारी बैंक \$

2. स्वर्ण \$

3. वित्तलंगम रहित अनुमानित प्रतिभूतियां \$

4. जोड़ (ग 1 से ग3 तक)

घ. 1. ग4-ख5 (अनुसूचित राज्य सहकारी बैंकों पर लागू नहीं होगा)

2. ग4-ख3 (केवल अनुसूचित राज्य सहकारी बैंकों पर लागू होगा)

इ. क3 का 25 प्रतिशत

तारीख—

हस्ताक्षर

पाठ टिप्पण :

I यह प्ररूप बैंककारी विनियमन अधिनियम, 1949 (जिस रूप में वह सहकारी सोसाइटियों पर लागू होता है) की धारा 24 के अधीन अनुसूचित राज्य सहकारी बैंकों द्वारा और उक्त अधिनियम की धारा 18 और 24 के अधीन अन्य "सहकारी बैंकों" द्वारा, सम्बद्ध माम की समाप्ति के 15 दिन तक, न कि उसके पश्चात्, भारतीय रिज़र्व बैंक को भेजा जाना है।

II. मद ग के अधीन दिखाई जाने वाली रकमों की संगणना करते में बैंककारी विनियमन अधिनियम, 1949 (जिस रूप में वह सहकारी सोसाइटियों पर लागू होता है) की धारा 24 की उपधारा (2क) (ख) के नीचे दिये गए स्पष्टीकरण (क), (ख) और (ग) को ध्यान में रखा जाना चाहिये।

@तारीख लिखिये (जहां परकास्य लिखित अधिनियम, 1881 के अधीन शुक्रवार को छुट्टी हो वहां पूर्ववर्ती कार्य-दिनस की तारीख लिखी जाए)

\*दायित्वों के अन्तर्गत निम्नलिखित नहीं आएंगे:

(क) सहकारी बैंक की सभावन पूंजी या आरक्षितियां अथवा उसके लाभ हानि खाते में जमा प्रतिशेष;

(ख) राज्य सरकार, रिज़र्व बैंक, भारतीय स्टेट बैंक, भारतीय औद्योगिक विकास बैंक, कृषि पुनर्निर्माण निगम या भारतीय रिज़र्व बैंक अधिनियम, 1934 की धारा 42 की उपधारा (1) के स्पष्टीकरण के खण्ड (ग) के अधीन केन्द्रीय सरकार द्वारा अधिसूचित किसी बैंक से लिया गया कोई उधार;

(ग) राज्य या केन्द्रीय सहकारी बैंक की दशा में वह धन का निक्षेप जो उसके सक्रिय क्षेत्र में आने वाली किसी अन्य सहकारी सोसाइटी द्वारा आरक्षित-निधि या उसके किसी भाग के रूप में उसमें रखना अपेक्षित हो और केन्द्रीय सहकारी बैंक की दशा में वह उधार जो उसके द्वारा सम्बद्ध राज्य के राज्य सहकारी बैंक से लिया गया हो;

(घ) प्राथमिक सहकारी बैंक की दशा में, उसके द्वारा सम्बद्ध राज्य के राज्य सहकारी बैंक से या सम्बद्ध जिले के केन्द्रीय सहकारी बैंक से लिया गया कोई उधार।

\*\*यहां अनुसूचित राज्य सहकारी बैंक केवल वही रकम दिखाए जायें जो भारतीय रिज़र्व बैंक अधिनियम, 1934 की धारा 42 के अधीन भारतीय रिज़र्व बैंक में रखे जाने वाले अपेक्षित प्रतिशेष की रकम से अधिक हो।

\*\*\*"अधिसूचित बैंक" से ऐसा कोई अन्य बैंक अभिप्रेत है, जिस बैंककारी विनियमन अधिनियम, 1949 की धारा 18 और 24 के अधीन केन्द्रीय सरकार द्वारा अधिसूचित किया जाए।

%यह मद केवल राज्य औद्योगिक सहकारी बैंकों, केन्द्रीय सहकारी बैंकों, जिला औद्योगिक सहकारी बैंकों तथा प्राथमिक सहकारी बैंकों को लागू होगी।

इस मद केवल प्राथमिक सहकारी बैंकों को लागू होगी।

यदि ख4 की रकम ख3 की रकम से अधिक हो तो इस मद को न दिखाया जाए, और यह अनुसूचित राज्य सहकारी बैंकों को लागू नहीं होती।

नकदी में अन्य बैंकों में प्रतिशेष या बैंक/करेंसी नोटों, रुपया-सिक्कों (एक रुपये के नोटों सहित) और इस विवरणी की तारीख की चानू छोटे सिक्कों से भिन्न कोई मद नहीं होनी चाहिये।

-अनुसूचित राज्य सहकारी बैंकों के सम्बन्ध में मद का 4 को इस प्रकार पढ़ा जाए—“भारतीय रिज़र्व बैंक अधिनियम, 1934 की धारा-42 के अधीन रिज़र्व बैंक में रखे जाने वाले अपेक्षित प्रतिशेष”।

ईस कीमत पर मूल्यांकित जो चानू बाजार कीमत से अधिक न हो।

5. उक्त नियमों में सत्यन प्रारूप VII को लुप्त कर दिया जाएगा।

[सं० एक० 1-26/71/ए सो II]

ल० द० कटारिया, उप-सचिव

(Department of Banking)

New Delhi, the 23rd May, 1974

S.O. 1326.—Whereas certain draft rules further to amend the Banking Regulation (Cooperative Societies) Rules, 1966, were published as required by sub-section (3) of section 52 of the Banking Regulation Act, 1949 (10 of 1949), at page 1093 to 1094 of the Gazette of India, Part II-Section 3-Subsection (ii), dated the 11th March, 1972, under the notification of the Government of India in the Ministry of Finance (Department of Banking) No. S.O. 869, dated the 22nd February, 1972, inviting objections and suggestions from all persons likely to be affected thereby till the 18th September, 1972.

And whereas the said Gazette was made available to the public on the 18th March, 1972;

And whereas no objections or suggestions have been received from the public;

Now, therefore, in exercise of the powers conferred by section 52 read with section 56 of the said Act, the Central Government, after consultation with the Reserve Bank of India, hereby makes the following rules further to amend the Banking Regulation (Cooperative Societies) Rules, 1966, namely:—

1. (1) These rules may be called the Banking Regulation (Co-operative Societies) Rules, 1974.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Banking Regulation (Co-operative Societies) Rules, 1966 (hereinafter referred to as the said rules), for rule 5, the following rule shall be substituted, namely:—

“5. Form of statement of liabilities and cash reserve and other assets—

The return to be submitted under section 18 and sub-section (3) of section 24 of the Act shall be in Form I and the return to be submitted under sub-section (2) of section 20 of the Act shall be in Form II.”

3. For rule 9 of the said rules, the following rule shall be substituted, namely:—

“9. Other returns—The returns to be submitted under section 26 and sub-section (1) of section 27 shall be in Form VIII and Form IX respectively.”

4. For Form I appended to the said rules, the following Form shall be substituted, namely:—

**"Banking Regulation (Co-operative Societies) Rules, 1966**

Form I (See rule 5)

(Section 18 and 24(3))

Name of the Co-operative Bank .....  
Name/s and designation/s of the Officer/s submitting the return

(Rounded off to the nearest thousand)

As at the close of business on

| 1st<br>Fri-<br>day<br>@ | 2nd<br>Fri-<br>day<br>@ | 3rd<br>Fri-<br>day<br>@ | 4th<br>Fri-<br>day<br>@ | 5th<br>Fri-<br>day<br>@ |
|-------------------------|-------------------------|-------------------------|-------------------------|-------------------------|
| (1)                     | (2)                     | (3)                     | (4)                     | (5)                     |

**A. Liabilities in India\***

1. Demand
2. Time
3. Total (A1 + A2)

**B. Assets in India**

(Cash reserve)

1. Cash in hand +
2. Balances in current account with
  - (a) Reserve Bank of India\*\*
  - (b) State Bank of India
  - (c) Notified banks\*\*\*
  - (d) State Co-operative Bank of the State concerned%
  - (e) Central Co-operative Bank of the district concerned§
3. Total (B1 + B2)
4. 3% of A3 ++
5. B3 — B4 &

**C. Other eligible assets**

1. Balances of all types [other than those under items B.2(d) and (e)] with
  - (a) State Co-operative Bank of the State concerned%
  - (b) Central Co-operative Bank of the district concerned§

2. Gold£
3. Unencumbered approved securitiesf
4. Total (C1 to C3)
- D. 1. C4 + B5 (Not applicable to scheduled State Co-operative Banks).
- D. 2. C4 + B3 (Applicable only to scheduled State co-operative banks)
- E. 25% of A3

Date .....

Signature/s

**FOOT NOTES :**

I. This Form is to be submitted to the Reserve Bank of India under section 24 of the Banking Regulation Act 1949 (As Applicable to Co-operative Societies) by scheduled State Co-operative banks and sections 18 and 24 of the Act ibid by the other 'co-operative banks' not later than 15 days after the end of the month to which it relates.

II. In computing the amounts to be shown under item C, the explanations (a), (b) and (c) given under sub-section (2A) (b) of section 24 of the Banking Regulation Act, 1949 (As Applicable to Co-op. Societies) should be taken into account.

@Give dates (where Friday is a holiday under the Negotiable Instruments Act, 1881, the preceding working day).

\*Liabilities shall not include:

- (a) the paid up capital or the reserves or any credit balance in the profit and loss account of the co-operative bank;
- (b) any advance taken from State Government, the Reserve Bank, the State Bank of India, the Industrial Development Bank of India, the Agricultural Refinance Corporation or any Bank notified by the Central Government under clause (c) of the Explanation to sub-section (1) of section 42 of the Reserve Bank of India Act, 1934;
- (c) in the case of a State or central co-operative bank, also any deposit of money with it representing the reserve fund or any part thereof required to be maintained with it by any other co-operative society within its area of operation and in the case of a central co-operative bank, also any advance taken by it from the State co-operative bank of the State concerned;
- (d) in the case of a primary co-operative bank, also any advance taken by it from the State Co-operative bank of the State concerned or the central co-operative bank of the district concerned.

\*\*Scheduled State Co-operative banks should show here only the amount in excess of the balance required to be maintained with the Reserve Bank of India under section 42 of Reserve Bank of India Act, 1934.

\*\*\*'Notified bank' means any other bank, which may be notified by the Central Government under sections 18 and 24 of the Banking Regulation Act, 1949.

%Applicable to State industrial co-operative banks, central co-operative banks, district industrial co-operative banks, and primary co-operative banks only.

§Applicable to primary co-operative banks only.

&This item should not be shown if B4 exceeds B3, and this is not applicable to scheduled state co-operative banks.

+Cash must not include balances with other banks or any item other than bank/currency notes, rupee coin (including one rupee notes) and subsidiary coin current on the date of this return.

++Item B.4 in respect of scheduled State co-operative banks should be read as 'Balances required to be maintained with the Reserve Bank under section 42 of the Reserve Bank of India Act, 1934.

£Valued at a price not exceeding current market price."

5. Form VII appended to the said rules shall be omitted.

[N.D. F. 1-26/71/AC II]

L. D. KATARIA, Deputy Secy.

## रिज़र्व बैंक ऑफ इंडिया

नई दिल्ली, 21 मई, 1974

का० प्रा० 1327.—रिज़र्व बैंक ऑफ इंडिया अधिनियम, 1934 के अनुसरण में मई 1974 की 10 तारीख को समाप्त हुए सप्ताह के लिए लेखा (इन्फो विभाग)

| देयताएं                                                                     | रुपये          | रुपये          | आस्तियाँ                                                                              | रुपये         | रुपये          |
|-----------------------------------------------------------------------------|----------------|----------------|---------------------------------------------------------------------------------------|---------------|----------------|
| बैंकिंग विभाग में रखे हुए नोट                                               | 33,95,76,000   |                | सोने का भंडार और बुलियन :<br>(क) भारत में रखा हुआ                                     | 182,53,05,000 |                |
| संचयन में नोट                                                               | 6512,46,28,000 |                | (ख) भारत के बाहर रखा हुआ                                                              | ..            |                |
|                                                                             |                |                | विदेशी प्रतिभूतियाँ                                                                   | 166,73,97,000 |                |
| जारी किये गये कुल नोट                                                       |                | 6546,42,04,000 | जोड़                                                                                  |               | 349,27,02,000  |
|                                                                             |                |                | रुपये का भंडार                                                                        |               | 8,40,95,000    |
|                                                                             |                |                | भारत सरकार की रुपया प्रतिभूतियाँ                                                      |               | 6188,74,07,000 |
|                                                                             |                |                | देशी विनियम बिल और दूसरे वाणिज्य-पत्र                                                 |               | ..             |
| कुल देयताएं                                                                 |                | 6546,42,04,000 | कुल आस्तियाँ                                                                          |               | 6546,42,04,000 |
| 10 मई 1974 को रिज़र्व बैंक ऑफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण |                |                |                                                                                       |               |                |
| देयताएं                                                                     | रुपये          |                | आस्तियाँ                                                                              |               | रुपये          |
| भूकला पंजी                                                                  | 5,00,00,000    |                | नोट                                                                                   |               | 33,95,76,000   |
| आयुक्त निधि                                                                 | 150,00,00,000  |                | रुपये का भंडार                                                                        |               | 8,40,95,000    |
| राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि                                | 239,00,00,000  |                | छोटा भंडार                                                                            |               | 3,57,000       |
| राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि                                          | 85,00,00,000   |                | खरीदे और भुनाये गये बिल                                                               |               |                |
| राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि                            | 205,00,00,000  |                | (क) देशी                                                                              |               | 268,84,71,000  |
| जमा राशियाँ :—                                                              |                |                | (ख) विदेशी                                                                            |               | ..             |
| (क) सरकारी                                                                  |                |                | (ग) सरकारी खजाना बिल                                                                  |               | 137,00,19,000  |
| (i) केन्द्रीय सरकार                                                         | 77,15,45,000   |                | विदेशों में रखा हुआ ऋण                                                                |               | 598,94,24,000  |
| (ii) राज्य सरकारें                                                          | 10,87,97,000   |                | निवेश**                                                                               |               | 156,49,48,000  |
| (ख) बैंक                                                                    |                |                | ऋण और अधिम :—                                                                         |               |                |
| (i) अनुसूचित वाणिज्य बैंक                                                   | 515,50,09,000  |                | (i) केन्द्रीय सरकार को                                                                |               | ..             |
| (ii) अनुसूचित राज्य सहकारी बैंक                                             | 16,13,65,000   |                | (ii) राज्य सरकारों को†                                                                |               | 144,80,39,000  |
| (iii) गैर अनुसूचित राज्य सहकारी बैंक                                        | 1,37,79,000    |                | ऋण और अधिम :—                                                                         |               |                |
| (iv) अन्य बैंक                                                              | 67,35,000      |                | (i) अनुसूचित वाणिज्य बैंकों को‡                                                       |               | 396,93,78,000  |
|                                                                             |                |                | (ii) राज्य सहकारी बैंकों को@                                                          |               | 190,02,37,000  |
|                                                                             |                |                | (iii) दूसरों को राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से ऋण अधिम और निवेश      |               | 7,82,50,000    |
| (ग) अन्य                                                                    | 363,83,40,000  |                | (क) ऋण और अधिम :—                                                                     |               |                |
|                                                                             |                |                | (i) राज्य सरकारों को                                                                  |               | 67,96,51,000   |
|                                                                             |                |                | (ii) राज्य सहकारी बैंकों को                                                           |               | 17,23,12,000   |
|                                                                             |                |                | (iii) केन्द्रीय भूमिबन्धक बैंकों को                                                   |               | ..             |
|                                                                             |                |                | (iv) कृषि अनुसूचित निगम को                                                            |               | 36,70,00,000   |
| देय बिल                                                                     | 117,51,13,000  |                | (ख) केन्द्रीय भूमि बन्धक बैंकों के डिबेंचरों में निवेश                                |               |                |
| अन्य देयताएं                                                                | 641,58,34,000  |                | राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अधिम                                      |               | 11,31,64,000   |
|                                                                             |                |                | राज्य सहकारी बैंकों को ऋण और अधिम राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि से |               | 45,11,42,000   |
|                                                                             |                |                | ऋण अधिम और निवेश                                                                      |               |                |
|                                                                             |                |                | (क) विकास बैंक को ऋण और अधिम                                                          |               | 163,79,08,000  |
|                                                                             |                |                | (ख) विकास बैंक द्वारा जारी किये गये बांडों/डिबेंचरों में निवेश                        |               |                |
|                                                                             |                |                | अन्य आस्तियाँ                                                                         |               | 151,60,27,000  |
| रुपये                                                                       | 2428,65,17,000 |                | रुपये                                                                                 |               | 2428,65,17,000 |

\* नकदी आवधिक जमा अल्पकालीन प्रतिभूतियाँ शामिल हैं।

\*\* राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि में से किये गये निवेश शामिल नहीं हैं।

† राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से प्रवृत्त ऋण और अधिम शामिल नहीं हैं परन्तु राज्य सरकारों को दिये गये अस्थायी ऋणरद्दापट शामिल हैं।

‡ रिज़र्व बैंक ऑफ इंडिया अधिनियम की धारा 17(4) (ग) के अधीन अनुसूचित वाणिज्य बैंकों को भिन्न-भिन्न पर अधिम दिये गये 63,59,60,000-रुपये शामिल हैं।

@ राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और अधिम शामिल नहीं हैं।

[सं० फ० 10/1/74 बी० औ० I]

तारीख 16 मई, 1974

च०ब० मोरचन्दानी, अवसर सचिव

भार०के० हजारी, उप गवर्नर

## RESERVE BANK OF INDIA

S.O. 1327.—An account pursuant to the RESERVE BANK OF INDIA ACT, 1934, for the week ended the 10th day of May 1974

## ISSUE DEPARTMENT

New Delhi, the 21st May, 1974

| LIABILITIES                          | Rs.            | Rs.            | ASSETS                                                | Rs.           | Rs.            |
|--------------------------------------|----------------|----------------|-------------------------------------------------------|---------------|----------------|
| Notes held in the Banking Department | 33,95,76,000   |                | Gold Coin and Bullion:—                               |               |                |
| Notes in circulation                 | 6512,46,28,000 |                | (a) Held in India                                     | 182,53,05,000 |                |
| Total Notes issued                   |                | 6546,42,04,000 | (b) Held outside India                                |               |                |
|                                      |                |                | Foreign Securities                                    | 166,73,97,000 |                |
|                                      |                |                | Total                                                 |               | 349,27,02,000  |
|                                      |                |                | Rupee Coin                                            |               | 8,40,95,000    |
|                                      |                |                | Government of India                                   |               |                |
|                                      |                |                | Rupee Securities                                      |               | 6188,74,07,000 |
|                                      |                |                | Internal Bills of Exchange and other Commercial paper |               |                |
| Total Liabilities                    |                | 6546,42,04,000 | Total Assets                                          |               | 6546,42,04,000 |

## Statement of Affairs of the Reserve Bank of India, Banking Department as on the 10th May, 1974

| LIABILITIES                                              | Rs.            | ASSETS                                                                                                                                     | Rs.            |
|----------------------------------------------------------|----------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| Capital Paid Up                                          | 5,00,00,000    | Notes                                                                                                                                      | 33,25,78,000   |
| Reserve Fund                                             | 150,00,00,000  | Rupee coin                                                                                                                                 |                |
| National Agricultural Credit (Long Term Operations) Fund | 239,00,00,000  | Small Coin                                                                                                                                 | 6,14,000       |
| National Agricultural Credit (Stabilisation) Fund        | 85,00,00,000   | Bills Purchased and Discounted :—                                                                                                          | 3,57,000       |
| National Industrial Credit (Long Term Operations) Fund   | 205,00,00,000  | (a) Internal                                                                                                                               | 268,84,71,000  |
| Deposits :—                                              |                | (b) External                                                                                                                               |                |
| (a) Government :—                                        |                | (c) Government Treasury Bills                                                                                                              | 137,00,19,000  |
| (i) Central Government                                   | 77,15,45,00    | Balances Held Abroad*                                                                                                                      | 598,94,24,000  |
| (ii) State Governments                                   | 10,87,97,000   | Investments**                                                                                                                              | 156,49,48,000  |
| (b) Banks                                                |                | Loans and Advances to :—                                                                                                                   |                |
| (i) Scheduled Commercial Banks                           | 515,50,09,000  | (i) Central Government                                                                                                                     |                |
| (ii) Scheduled State Co-operative Banks                  | 16,13,65,000   | (ii) State Governments/                                                                                                                    | 144,80,39,000  |
| (iii) Non-Scheduled State Co-operative Banks             | 1,37,79,000    | Loans and Advances to :—                                                                                                                   |                |
| (iv) Other Banks                                         | 67,35,000      | (i) Scheduled Commercial Banks†                                                                                                            | 396,93,78,000  |
| (c) Others                                               | 363,83,40,000  | (ii) State Co-operative Banks**                                                                                                            | 190,02,37,000  |
| Bills Payable                                            | 117,51,13,000  | (iii) Others                                                                                                                               | 7,82,50,000    |
| Other Liabilities                                        | 641,58,34,000  | Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) fund                                              |                |
|                                                          |                | (a) Loans and Advances to :—                                                                                                               |                |
|                                                          |                | (i) State Governments                                                                                                                      | 67,96,51,000   |
|                                                          |                | (ii) State Co-operative Banks                                                                                                              | 17,23,12,000   |
|                                                          |                | (iii) Central Land Mortgage Banks                                                                                                          |                |
|                                                          |                | (iv) Agricultural Refinance Corporation                                                                                                    | 36,70,00,000   |
|                                                          |                | (b) Investment in Central Land Mortgage Bank Debentures Loans and Advances from National Agricultural Credit (Stabilisation) Fund          | 11,31,64,000   |
|                                                          |                | Loans and Advances to State Co-operative Banks Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund | 45,11,42,000   |
|                                                          |                | (a) Loans and Advances to the Development Bank                                                                                             | 163,79,08,000  |
|                                                          |                | (b) Investment in bonds/debentures issued by the Development Bank                                                                          |                |
|                                                          |                | Other Assets                                                                                                                               | 151,60,27,000  |
| Rupees                                                   | 2428,65,17,000 | Rupees                                                                                                                                     | 2428,65,17,000 |

\*Includes Cash, Fixed Deposits and Short-term Securities.

\*\*Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund, but including temporary overdrafts to State Governments.

—Includes Rs. 63,59, 60,000 advanced to scheduled commercial banks against usance bills under Section 17 (4) (c) of the Reserve Bank of India Act.

—Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

R. K. HAZARI, Dy. Governor

Dated the 16th day of May 1974.

[No. F. 10(1)/74-B. O. I.]

C. W. MIRCHANDANI, Under Secy.



## (Department of Expenditure)

## CORRIGENDA

New Delhi, the 17th May, 1974

**S.O. 1328.**—In the notification of the Government of India in the Ministry of Finance (Department of Expenditure) No. S.O. 934, dated the 1st March, 1972, relating to the Central Civil Services (Pension) Rules, 1972, published at pages 1397 to 1443 of the Gazette of India, Part II, Section 3, Sub-section (ii), dated the 1st April, 1972, at page 1401 in clause (i) of the Explanation to rule 11,—

(i) for "as consultant or adviser", read "or a consultant or adviser";

(ii) for "as representative", read "or as representative".

[No. 6(1)-EV(A)/74]

S. S. MALHOTRA, Under Secy.

## वाणिज्य मंत्रालय

## (चाय नियंत्रण)

नई दिल्ली, 10 मई, 1974

**का० भा० 1329.**—चाय नियम 1954 के नियम 4 तथा 5 के साथ पठित, चाय अधिनियम 1953 (1953 का 29) की धारा 4 की उपधारा (3) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार श्री जे० सी० आर के पदत्याग के फलस्वरूप रिक्त हुए पद पर श्री टी० एस० नागराजन को चाय बोर्ड के एक सदस्य के रूप में एतद्द्वारा नियुक्त करती है और भारत सरकार के भूतपूर्व विदेश व्यापार मंत्रालय की अधिसूचना सं० का० भा० 288 (इ) दिनांक 13 अप्रैल, 1972 में और प्रागे निम्नोक्त संशोधन करती है, अर्थात् :

उपर्युक्त अधिसूचना में, प्रविष्टि 20 के स्थान पर निम्नोक्त प्रविष्टि रखी जायेगी, अर्थात् :—

"श्री टी० एस० नागराजन,  
मेमर्स क्लब बांड इंडिया लि०,  
9, गेम्सपियर गारणी,  
कलकत्ता-1,"

[सं० ई-12012(1)/71-प्लांट (ए)]

एस० महर्षिदश अय्यर, अवर सचिव

## MINISTRY OF COMMERCE

## (Tea Control)

New Delhi, the 10th May, 1974

**S.O. 1329.**—In exercise of the powers conferred by Clause (d) of sub-section (3) of Section 4 of the Tea Act, 1953 (29 of 1953), read with rules 4 and 5 of the Tea Rules, 1954, the Central Government hereby appoints Shri T. S. Nagarajan as a member of the Tea Board in the vacancy caused by the resignation of Shri J. C. Brock, and makes the following further amendment in the notification of Government of India in the late Ministry of Foreign Trade No. S.O. 288 (E) dated the 13th April, 1972 namely:—

24 GI/74-2

In the said notification, for entry 20, the following entry shall be substituted, namely:—

"20. Shri T. S. Nagarajan, M/s. Brooke Bond India Ltd., 9, Shakespeare Sarani, Calcutta-1."

[No. E. 12012(1)/71-Plant(A)]

S. MAHADEVA IYER, Under Secy.

नई दिल्ली, 1 जून, 1974

**का. आ. 1330.**—निर्यात (क्वालिटी नियंत्रण निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उड़ीसा सरकार विश्लेषण प्रयोगशाला, जाजपुर रोड (जिला कटक) तथा जोड़ा (जिला कियोनभर) को, भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. का. आ. 3152, दिनांक 30 सितम्बर, 1965 से उपाबद्ध अनुसूची 2 में विनिर्दिष्ट खनिज और अयस्क ग्रुप के निरीक्षण के लिए अभिकरण के रूप में एक वर्ष की अवधि के लिए एतद्द्वारा मान्यता देती है।

[सं. 5(4)/74-नि. नि. तथा नि. सं.]

New Delhi, the 1st June, 1974

**S.O. 1330.**—In exercise of the powers conferred by section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a further period of one year the Government of Orissa Analytical Laboratories at Jaipur Road (District Cuttack) and Joda (District Keonjhar), as the agency for the inspection of the Minerals and Ores—Group I, specified in schedule II annexed to the notification of the Government of India in the Ministry of Commerce, No. S.O. 3152, dated the 30th September, 1965.

[No. 5(4)/74-EI&amp;EP]

**का. आ. 1331.**—निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उड़ीसा सरकार विश्लेषण प्रयोगशाला, जाजपुर रोड (जिला कटक) तथा जोड़ा (जिला कियोनभर) को, भारत सरकार के वाणिज्य मंत्रालय की अधिसूचना सं. का. आ. 3150, दिनांक 30 सितम्बर, 1965 से उपाबद्ध अनुसूची 2 में विनिर्दिष्ट खनिज और अयस्क ग्रुप 2 के निरीक्षण के लिए अभिकरण के रूप में एक वर्ष की अवधि के लिए एतद्द्वारा मान्यता देती है।

[सं. 5(4)/74 नि. नि. तथा नि. सं.]

एम. के. बी. भट्टनागर, अवर सचिव

**S.O. 1331.**—In exercise of the powers conferred by section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises for a further period of one year the Government of Orissa Analytical Laboratories at Jaipur Road (District Cuttack) and Joda (District Keonjhar), as the agency for the inspection of the Minerals and Ores—Group II, specified in schedule II annexed to the notification of the Government of India in the Ministry of Commerce, No. S.O. 3150, dated the 30th September, 1965.

[No. 5(4)/74-EI&amp;EP]

M. K. B. BHATNAGAR, Under Secy.

(संयुक्त मुख्य निर्यातक, आयात-निर्यात का कार्यालय)

आदेश

नई दिल्ली, 26 फरवरी, 1974

का०आ० 1332.—सर्वश्री दि कोका कोला एक्सपोर्ट कारपोरेशन, 16/3, माइल स्टोन, मथुरा रोड, फरीदाबाद (हरियाणा) को प्राकृतिक सस्य तेलों (अनुमेय मदों), अहानिकर खाद्य रंगों आदि के आयात के लिए 86782/- रुपये मूल्य का एक आयात लाइसेंस सं० पी/एम/2612747 दिनांक 24-1-73 प्रदान किया गया था। उन्होंने आयात व्यापार नियंत्रण नियम तथा क्रियाविधि पुस्तिका, 1973-74 के पैरा 320 के अन्तर्गत यथा अपेक्षित एक शपथ पत्र दाखिल किया है जिसमें उन्होंने यह बताया है कि 86782/- रुपये मूल्य के लाइसेंस सं० 2612747 दिनांक 24-1-73 की सीमाशुल्क निकासी प्रति 18790/- रुपये का उपयोग करने के बाद खो गई/अस्थानस्थ हो गई है।

मैं संतुष्ट हूँ कि उक्त लाइसेंस की सीमाशुल्क निकासी प्रति खो गई/अस्थानस्थ हो गई है।

अद्यतन यथासंशोधित आयात (नियंत्रण) आदेश, 1955 दिनांक 7-12-55 की विषयक धारा 9 (सी) के अन्तर्गत प्राप्त अधिकारों का प्रयोग करते हुए 86782/- रुपये मूल्य के लाइसेंस सं० 2612747 दिनांक 24-1-73 की सीमाशुल्क निकासी प्रति एतद्वारा रद्द की जाती है।

अब आवेदक को उक्त लाइसेंस की सीमाशुल्क निकासी प्रति की अनु-लिपि आयात व्यापार नियंत्रण नियम तथा क्रियाविधि पुस्तिका 1973-74 के पैरा 320 की शर्तों के अनुसार जारी की जा रही है।

[संख्या : मि० सं० पीएफ/12/जे०एस-72/एस सी 5 सी एस ए]

ओ० एन० आनन्द, उप-मुख्य निर्यातक

हृते संयुक्त मुख्य निर्यातक।

(Office of the Joint Chief Controller of Imports and Exports)

ORDER

New Delhi, the 26th February, 1974

S.O. 1332.—M/s. The Coca Cola Export Corporation, 16/3, Mile Stone, Mathura Road, Faridabad (Haryana) were granted Licence No. P/M/2612747 dated 24-1-73 for Rs. 86782 for the import of Natural Essential Oils (Permissible Items), Harmless Food Colours etc. They have filed an affidavit as required under para 320 of Import Trade Control Hand Book of Rules and Procedure, 1973-74 wherein they have stated that Custom Purposes Copy of Licence No. 2612747 dated 24-1-73 for Rs. 86782 has been lost/misplaced after having been utilised for Rs. 18790.

2. I am satisfied that the Custom Purposes copy of the said licence has been lost/misplaced.

3. In exercise the powers conferred on me under subject clause 9(c) in the import Trade Control Order 1955 dated 7-12-55 as amended up to date, the said licence No. 2612747 dated 24-1-73 for Rs. 86782 (Customs Purposes copy) is hereby cancelled.

4. The applicant is now being issued duplicate Custom Purposes copy of the said licence in accordance with the provisions of para 320 of Import Trade Control Hand Book of Rules and Procedure, 1973-74.

[F. No. PF/12/JS-72/SC. V. CLA]

O. N. ANAND, Dy. Chief Controller  
for Jt. Chief Controller.

(मुख्य निर्यातक, आयात निर्यात का कार्यालय)

आदेश

नई दिल्ली, 17 अप्रैल, 1974

का०आ० 1333.—सर्वश्री एटलस साइकल इंडस्ट्रीज लि०, सोनीपत को मशीनों तथा संयंत्रों के अनुमेय फालतू पुर्जों के आयात के लिए सामान्य मुद्रा क्षेत्र के मदे 29,660/- रुपये के लिए आयात लाइसेंस संख्या : पी डी/2192827, दिनांक 14-5-73 प्रदान किया गया था। उन्होंने सूचना दी है कि उक्त लाइसेंस की दोनों प्रतियाँ किसी भी धनराशि का प्रयोग किए बिना ही खो गई हैं और वे किसी भी सीमाशुल्क प्राधिकारी के यहाँ पंजीकृत नहीं थी।

2. अपने तर्कों के समर्थन में, आवेदक ने एक शपथपत्र दाखिल किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस संख्या : पी/डी/2192827, दिनांक 14-5-73 की मूल प्रतियाँ खो गई हैं और निदेश देता है कि उक्त लाइसेंस की अनुलिपि प्रतियाँ (सीमाशुल्क तथा मुद्रा विनिमय नियंत्रण दोनों) जारी की जानी चाहिए।

[म० साइकिल/11/स्पेयर्स/72-73/आर एम आई]

आई० वी० चून्कथ, उप-मुख्य निर्यातक  
हृते मुख्य निर्यातक।

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 17th April, 1974

S.O. 1333.—M/s. Atlas Cycle Industries Ltd., Sonapat who were granted import licence No. P/D/2192827 dated 14-5-73 for Rs. 29,660/- against G. C. Area for import of permissible spare parts of machines & plants, have reported that both copies of the said licence have been lost without being utilised for any amount and the same was not registered with any of the customs authorities.

2. In support of their contention, the applicant has filed in an affidavit. The undersigned is satisfied that the original copies of the licence No. P/D/2192827 dated 14-5-73 have been lost and dicerts that duplicate copies (both customs & Exchange Control) of the said licence should be issued.

[File No. Cycle/11/Spares/72-73/RMI]

I. V. CHUNKATH, Dy. Chief Controller  
for Chief Controller.

आदेश

नई दिल्ली, 15 मई, 1974

का० आ० 1334.—सर्वश्री इन्डियन आयल ब्लेन्डिंग लि०, पीर-पाऊ-टोम्बे, बम्बई 74 ए०स० को 93,100/- रुपये (तिरानवे हजार एक सौ रुपये मात्र) के लिए एक आयात लाइसेंस सं० आई/ए/1058717 दिनांक 22-1-73 प्रदान किया गया था। उन्होंने उक्त लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमाशुल्क निकासी प्रति खो गई/अस्थानस्थ हो गई है। आगे यह उल्लेख किया है कि मूल सीमाशुल्क निकासी प्रति किसी भी सीमाशुल्क प्राधिकरण में पंजीकृत नहीं कराई थी। इसका उपयोग किसी भी धन राशि के लिए नहीं किया गया था और इस पर दिनांक 24-1-74 को 93,100/- रुपये का उपयोग करना शेष था।

इस तर्क के समर्थन में आवेदक ने सर्वश्री इन्डियन आयल ब्लेन्डिंग लि०, बम्बई के एक प्रमाण पत्र के साथ एक शपथ पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि उक्त लाइसेंस की मूल सीमाशुल्क निकासी प्रति खो गई है। इसलिए यथासंशोधित आयात (नियंत्रण) आदेश 1955

दिनांक 7-12-55 की उप धारा 9 (सी सी) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री इन्डियन आयल ब्लेंडिंग लि०, बम्बई को जारी किए गए लाइसेंस सं० आई/ए/1058717 दिनांक 22-1-73 की उक्त मूल सीमाशुल्क निकासी प्रति एतद्वारा रद्द की जाती है।

उक्त लाइसेंस की सीमाशुल्क निकासी प्रति की अनुलिपि लाइसेंस-धारी को भ्रम में जारी की जा रही है।

[सं० आई ६/69/72-73/पी एल एस ए/232]

एम० के० उस्मानी, उप-मुख्य नियंत्रक

कृते मुख्य नियंत्रक।

### ORDER

New Delhi, the 15th May, 1974

**S.O. 1334.**—M/s. Indian Oil Blending Ltd., Pir-Pau-Trom bay, 74, AS. were granted an import licence No. 1/A/1058717 dated 22-1-1973 for Rs. 93,100 (Rupees Ninety-three Thousand and One Hundred only). They have applied for the issue of a duplicate Customs Purposes copy of the said licence on the ground that the original Customs Purposes copy has been lost/misplaced. It is further stated that the original Customs Purposes copy was not registered with any Customs authorities. It was utilised for Rs. Nil and the balance available on it was Rs. 93,100 as on 24-1-1974.

2. In support of this contention the applicant has filed an affidavit along with a certificate from M/s. Indian Oil Blending Ltd. Bombay I am accordingly satisfied that the original Customs Purposes copy of the said licence has been lost. Therefore in exercise of the powers conferred under Sub-clause 9(cc) of the Imports (Control) Order, 1955 dated 7-12-1955 as amended the said original Customs Purposes copy of licence No. I/A/1058717 dated 22-1-1973 issued to M/s. Indian Oil Blending Ltd., Bombay is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued separately to the licensee.

[No. Id/69/72-73/PLSA/232]

S. K. USMANI, Dy. Chief Controller  
for Chief Controller.

### आदेश

नई दिल्ली, 20 मई, 1974

### सुद्धि-पत्र

**क्र०आ० 1335.**—भारत के असाधारण राजपत्र के भाग 2, खंड 3, उप-खंड (2) में दिनांक 9 मार्च, 1974 को प्रकाशित किए गए आदेश संख्या: एस०-आ० 672 की पंक्ति 4 में दिखाए गए 5,000/- रुपये के लागत-बीमा-भाड़ा मूल्य को 15,000/- रुपये के लागत-बीमा-भाड़ा मूल्य के रूप में पढ़ें।

[संख्या: 99/एस ए/72-73/एस एल-2]

सरदूल सिंह, उप-मुख्य नियंत्रक

कृते मुख्य नियंत्रक।

### ORDER

### CORRIGENDUM

New Delhi, the 20th May, 1974

**S.O. 1335.**—In order No. S. O. 672 published in the Gazette of India ordinary Part II Section III Sub-section (ii) dated March 9, 1974, C.I.F. value of Rs. 5,000 appearing in line 4 may be read as C.I.F. value of Rs. 15,000.

[F. No. 99/S A/72-73/MI-II]

SARDUL SINGH, Dy. Chief Controller  
for Chief Controller.

### आदेश

नई दिल्ली, 23 मई, 1974

**क्र०आ० 1336.**—सर्वश्री महेंद्र यूजाइन स्टील कं० लि०, वर्ली रोड सं० 13, वर्ली बम्बई-18 को 3,10,31,000-रुपये (तीन करोड़ दस लाख इकसीस हजार रुपये मात्र) के लिये एक आयात लाइसेंस संख्या: पी/सीजी/2041569/ए/एग/डी/एस/एच/आई एक/टी आर/19/सी/एच/17सीजी-4, दिनांक 25-6-64 प्रदान किया गया था। उन्होंने उक्त आयात लाइसेंस की अनुलिपियां (सीमाशुल्क निकासी प्रति और मुद्रा विनिमय नियंत्रण प्रति) जारी करने के लिये इस आधार पर आवेदन किया है कि श्री निकेतन, शिवसागर ईस्टेट, बम्बई-18 में स्थित उनके कार्यालय में आग लगने के कारण लाइसेंस की मूल प्रतियां सीमाशुल्क निकासी और मुद्रा विनिमय नियंत्रण नष्ट हो गई हैं। उन्होंने यह भी उल्लेख किया है कि लाइसेंस की सीमाशुल्क निकासी प्रति का उपयोग कर लिया गया है, परन्तु इसकी आवश्यकता "परियोजना आयात समाधान" के लिये सीमाशुल्क प्राधिकारियों को प्रस्तुत करने के लिये है। आयात लाइसेंस की सीमाशुल्क निकासी प्रति को 2,24,95,531/- रुपये तक उपयोग कर लिया गया बताया है। मुद्रा विनिमय नियंत्रण प्रति पर 96,89,252/- रुपये शेष रहने हुए 2,13,41,742/- रुपये की सीमा तक उपयोग कर लिया गया बताया है।

2. इस तर्क के समर्थन में आवेदक ने नोटरी पब्लिक, बम्बई, मूद्राशुल्क के सामने विधिवत् शपथ लेकर एक शपथपत्र दाखिल किया है। तदनुसार मैं मन्तुष्ट हूँ कि मूल सीमाशुल्क/मुद्रा विनिमय नियंत्रण प्रति नष्ट हो गई है। इसलिये यथासंशोधित आयात (नियंत्रण) आदेश 1955, दिनांक 7-12-1955 की उपधारा 9(सीसी) द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री महेंद्रा यूजाइन स्टील कम्पनी लि० बम्बई को जारी किया गया उक्त लाइसेंस संख्या: पी/सीजी/2041569/ए/एस/डी/एस एच/आईएक/टी आर/19सी/एच/17सीजी-4, दिनांक 25-6-64 एतद्वारा रद्द किया जाता है।

3. उक्त लाइसेंस की अनुलिपि प्रतियां (सीमाशुल्क/मुद्रा विनिमय) लाइसेंसधारी को दोनों भ्रम में जारी की जा रही है।

[संख्या: 2ए(89)/63-64/सीजी-4]

जे० शंकर, उप-मुख्य नियंत्रक

कृते मुख्य नियंत्रक।

New Delhi, the 23rd May, 1974

### ORDER

**S.O. 1336.**—M/s. Mahindra Ugine Steel Co. Ltd., Worli Road No. 13, Worli, Bombay-18 were granted an import licence No. P/CG/2041569/A/S/D/SH/IF/TR/19/C/H/17/CG. IV dated 25-6-64 for Rs. 3,10,31,000 (Rupees three Crores, ten lakhs and thirtyone thousand only). They have applied for the issue of duplicate copies of the said import licence (Customs and Exchange Control purposes), on the ground that the original copies of the licence (Customs and Exchange purposes) have been destroyed during a fire in their office located at Shree Nikaten, Shiv Sagar Estate, Bombay-18. They have further stated that the Custom copy of the licence has been utilized but it is required to be produced to the customs authorities for the purpose of "Project import reconciliation." The Customs Control copy of the import licence is stated to have been utilized for Rs. 2,24,95,531. The Exchange Control copy is stated to have been utilized to the extent of Rs. 2,13,41,742 leaving a balance of Rs. 96,89,252.

2. In support of this contention, the applicant has filed an affidavit duly sworn before Notary Public, Bombay, Maharashtra State. I am accordingly satisfied that the original Customs/Exchange Purposes copies have been destroyed.

Therefore, in exercise of the powers conferred under Sub-Clause 9(cc) of the Imports (Control) order, 1955 dated 7-12-1955 as amended, the said licence No. P/CG/2041569/S/D/SH/IF/TR/19/C/H/17/CG. IV. dated 25-6-64 issued to M/s. Mahindra Ugine Steel Co. Ltd., Bombay is hereby cancelled.

3. Duplicate copies of the said licence (Customs/Exchange purposes) both are being issued separately to the licensee.

[No. 2A/89/63-64/CG-IV]

J. SHANKAR, Dy. Chief Controller  
for Jt. Chief Controller

### THE TABLE

| Designation of the Officer                                                       | Categories of public premises and local limits of jurisdiction. |
|----------------------------------------------------------------------------------|-----------------------------------------------------------------|
| 1                                                                                | 2                                                               |
| Shri R. K. Chadha,<br>Under Secretary,<br>Ministry of Industrial<br>Development. | Public Premises,<br>UDYOG BHAWAN.                               |

[File No. D-11012/12/73-G.A.]  
S. K. LALL, Director.

### औद्योगिक विकास मंत्रालय

नई दिल्ली, 14 मई, 1974

का० प्रा० 1337.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार निम्न सारणी के स्तम्भ (1) में उल्लिखित अधिकारी को, जो सरकार के राजपत्रित अधिकारी के रूप में नियुक्त करती है और आगे निदेश देती है कि उक्त अधिकारी, उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की सीमाओं के भीतर उक्त अधिनियम द्वारा या के अधीन प्रदत्त शक्तियों का प्रयोग और अधिरूपित कर्तव्यों का पालन करेगा।

### सारणी

अधिकारी का पदनाम सरकारी स्थानों के प्रवेश और अधिकारिता की स्थानीय सीमाएं

श्री आर० के० चड्ढा, सरकारी स्थान, उद्योग भवन  
अवर सचिव,  
औद्योगिक विकास मंत्रालय।

[फा० सं० डी-11012/12/73-जी० ए०]

एस० के० लाल, निदेशक

### MINISTRY OF INDUSTRIAL DEVELOPMENT

New Delhi, the 14th May, 1974

S.O. 1337.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being gazetted officer of Government to be Estate Officer for the purpose of the said Act, and further directs that the said officer shall exercise the powers conferred and perform the duties imposed on the estate officer by or under the said Act, within the limits of their respective jurisdiction in respect of the public premises specified in column (2) of the said Table.

### निर्माण और आवास मंत्रालय

नई दिल्ली, 27 मार्च, 1974

का० प्रा० 1338.—केन्द्रीय सरकार, सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) नियम, 1971 के नियम 6 के अनुसरण में निम्न सारणी के स्तम्भ 1 में उल्लिखित राजपत्रित अधिकारी को उक्त सारणी के स्तम्भ 2 में विनिर्दिष्ट सरकारी स्थानों के संबंध में सम्पदा अधिकारी के समक्ष लम्बित किन्हीं कार्यवाहियों को किसी अन्य सम्पदा अधिकारी को जो उनके निपटान के लिये सक्षम है, शान्तरित करने और उनका निपटारा करने के लिए प्राधिकृत करती है।

### सारणी

| राजपत्रित अधिकारी                                                                                                      | सरकारी स्थान                                                                                                                                       |
|------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. श्री बी० शंकरन आयुक्त (कार्या-<br>न्वयन) दिल्ली विकास प्राधिकरण<br>तथा सचिव, भूमि तथा भवन<br>विभाग, दिल्ली प्रशासन। | दिल्ली विकास प्राधिकरण से संबंधित स्थान और केन्द्रीय सरकार से संबंधित ऐसे अन्य स्थान जिनका नियंत्रण और प्रबंध उक्त प्राधिकारी द्वारा किया जाता है। |

[संख्या के० 11011(1)/74-यू डी प्रा ई]

वी० आर० अय्यर, अवर सचिव

### MINISTRY OF WORKS & HOUSING

New Delhi, the 27th March, 1974

S.O. 1338.—In pursuance of rule 6 of the Public Premises (Eviction of Unauthorised Occupants) Rules, the Central Government hereby authorises the Gazetted Officer mentioned in column 1 of the Table below to transfer any proceedings pending before an Estate Officer and pertaining to public premises specified in column 2 of the said Table, for disposal to any other Estate Officer competent to dispose of the same.

TABLE

| Gazetted Officer                                                                                                                                | Public Premises                                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Shri V. Sankaran, Commissioner (Implementation), Delhi Development Authority & Secretary, Land & Buildings Department, Delhi Administration. | Premises belonging to the Delhi Development Authority and such other premises belonging to the Central Government as are controlled or managed by the said Authority. |

[No. K-11011 (1)/74-UD]

V. R. IYER, Under Secy.

**भ्रम और पुनर्वासि मंत्रालय**

(भ्रम और रोजगार विभाग)

नई दिल्ली, 14 मई, 1974

क्र० आ० 1339.—मद्रास अरजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1957 में और संशोधन करने के लिये स्कीम का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बनाने की प्रस्थापना करती है, उक्त उपधारा द्वारा यथापेक्षित उन सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है जिनका उससे प्रभावित होना संभाव्य है; और सूचना दी जाती है कि उक्त प्रारूप पर राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दो मास की अवधि की समाप्ति पर या उसके पश्चात् विचार किया जाएगा।

ऐसे श्रमिकों या सुझावों पर, जो उक्त प्रारूप की बाबत किसी व्यक्ति से इस प्रकार विनिश्चित अवधि के पूर्व प्राप्त किए जाएं, केन्द्रीय सरकार द्वारा विचार किया जाएगा।

**प्रारूप स्कीम**

1. इस स्कीम का नाम मद्रास अरजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) तृतीय संशोधन स्कीम, 1974 है।

2. मद्रास अरजिस्ट्रीकृत डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1957 के खंड, 13-घ के स्थान पर निम्नलिखित खंड रखा जाएगा अर्थात् :—

13घ. जब नियुक्ति के पश्चात् काम उपलब्ध न किया जाए तब मजदूरी का संवाय—जब कोई पूरा कर्मकार काम के लिए हाजिर होता है और किसी कारणवश वह काम, जिसके लिए वह उपस्थित हुआ हो, प्रारम्भ न हो सका हो या आगे न बढ़ सका हो और नियोजक द्वारा उसके लिए कोई दूसरा काम न देखा गया हो (खंड 12 देखें) तो उक्त नियोजक द्वारा उसे वापिस भेज दिया जाएगा और काम के लिए उसके उपस्थित होने के दो घंटे के भीतर प्रशासनिक निकाय द्वारा यथा निर्दिष्ट पत्तन में किसी स्थान को वापस भेज दिया जायेगा। इस प्रकार वापस भेजा गया कर्मकार पारी पर्यन्त प्रशासनिक निकाय द्वारा यथा निर्देशित बनाए गए स्थान पर प्रतीक्षा करेगा और उम्मीद पारी में कोई अन्य रोजगार जो प्रशासनिक निकाय द्वारा दिया जाए, स्वीकार करेगा। यदि कोई काम नहीं दिया

जाता तो वह एक पूर्ण कालिक-वर मजदूरी, जिसमें महंगाई भत्ता और अन्य भत्ते सम्मिलित हैं, के आधार पर आशा-भंग राशि का हकदार होगा। जहाँ काम दिया जाता है, वहाँ वह पूर्ण कालिक वर मजदूरी तथा ऐसी मात्रानुपाती-वर मजदूरी का जो वह काम की अवधि के लिए उपार्जित करे, हकदार होगा।"

[एस-70012/6/73 (2)—टी एण्ड डी]

**MINISTRY OF LABOUR AND REHABILITATION**

(Department of Labour and Employment)

New Delhi, the 14th May, 1974

S.O. 1339.—The following draft of a scheme further to amend the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of two months from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the period so specified will be taken into consideration by the Central Government.

**DRAFT SCHEME**

1. This scheme may be called the Madras Unregistered Dock Workers (Regulation of Employment) Third Amendment Scheme, 1974.

2. For clause 13-D of the Madras Unregistered Dock Workers (Regulation of Employment) Scheme, 1957 the following clause shall be substituted, namely -

13--D Payment of wages when work is not available after engagement :- When a worker in the poll presents himself for work and for any reason the work for which he has attended cannot commence or proceed and no alternative work can be found for him by the employer, he may be returned by the said employer and sent back to any place in the port as directed by the Administrative body within 2 hours of his attending for work. The worker so returned shall wait at the stipulated place as directed by the Administrative body through the same shift that may be offered by the Administrative body. If no work is offered he shall be entitled to the disappointment money on the basis of one full time-rate wage including dearness is offered he shall be entitled to full time-rate wage plus any piece-rate wage he may earn for the period of work.

[S-70012/6/73-(II)-P&amp;D]

क्र० आ० 1340.—मद्रास डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1956 में और संशोधन करने के लिये स्कीम का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बनाने की प्रस्थापना करती है, उक्त उपधारा द्वारा यथापेक्षित उन सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जाता है, जिनका उससे प्रभावित होना संभाव्य है; और

सूचना दी जाती है कि उक्त प्रारूप पर राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दो मास की अवधि की समाप्ति पर या उसके पश्चात् विचार किया जाएगा।

ऐसे आक्षेपों या सुझावों पर, जो उक्त प्रारूप की बाबत किसी व्यक्ति से इस प्रकार विनिर्दिष्ट अवधि के पूर्व प्राप्त किए जायें, केन्द्रीय सरकार द्वारा विचार किया जायेगा।

#### प्रारूप स्कीम

1. इस स्कीम का नाम मद्रास डॉक कर्मकार (नियोजन का विनियमन) द्वितीय संशोधन स्कीम, 1974 है।

2. मद्रास डॉक कर्मकार (नियोजन का विनियमन) स्कीम, 1956 के खंड 34 का स्थान पर निम्नलिखित खंड रखा जाएगा, अर्थात्:—

“34. जब नियुक्ति के पश्चात् काम उपलब्ध न किया जाए तब मजदूरी का संबंध:—जब आरक्षित पूल का कोई कर्मकार काम के लिए हाज़िर होता है और किसी कारणवश वह काम, जिस के लिये वह उपस्थित हुआ हो, प्रारम्भ न हो सका हो या आगे न बढ़ सका हो और नियोजक द्वारा उसके लिए कोई दूसरा काम न देखा गया हो (स्कीम का खंड 33 देखें) तो उक्त नियोजक द्वारा उसे वापस भेज दिया जाएगा और काम के लिए उसके उपस्थित होने के दो घंटे के भीतर प्रशासनिक निकाय द्वारा यथा निर्देशित प्लान में किसी स्थान को वापस भेज दिया जायेगा। इस प्रकार वापस भेजा गया कर्मकार पारी पर्यन्त प्रशासनिक निकाय द्वारा यथा निर्देशित बनाए गए स्थान पर प्रतीक्षा करेगा और उसी पारी में कोई अन्य रोजगार जो प्रशासनिक निकाय द्वारा दिया जाए, स्वीकार करेगा। यदि कोई काम नहीं दिया जाता तो वह एक पूर्ण कालिक-दर मजदूरी, जिसमें मंहगाई भत्ता और अन्य भत्ते सम्मिलित हैं, के आधार पर आशाभंग राशि का हकदार होगा। जहाँ काम दिया जाता है, वहाँ वह किए गए काम के लिए मात्रानुपाती-दर मजदूरी का हवादार होगा और पारी की शेष अवधि के लिए आनुपातिक मूल मजदूरी तथा भत्ते का हकदार होगा।”

[एस-70012/6/73(1)—पी एण्ड डी]

**S.O. 1340.**—The following draft of a scheme further to amend the Madras Dock Workers (Regulation of Employment) Scheme, 1956 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of two months from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the period so specified will be taken into consideration by the Central Government.

#### DRAFT SCHEME

1. This scheme may be called the Madras Dock Workers (Regulation of Employment) Second Amendment Scheme, 1974.

2. For clause 34 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956 the following clause shall be substituted, namely:—

34. **Payment of wages when work is not available after engagement.**—When a worker in the Reserve Pool presents himself for work and for any reason the work for which he has attended cannot commence or proceed and no alternative work can be found for him by the employer, he may be returned by the said employer and sent back to any place in the Port as directed by the Administrative Body within 2 hours of his attending for work. The worker so returned shall wait at the stipulated place as directed by the Administrative Body throughout the shift and accept any other employment in the same shift that may be offered by the Administrative Body. If no work is offered he shall be entitled to the disappointment money on the basis of one full time-rate wage including dearness allowance and other allowances. Where work is offered he shall be entitled to piece-rate wages for work done and for the rest of the period of the shift proportionate basic wage plus allowances.”

[No. S-70012/6/73(i)/ P&D]

#### आदेश

नई दिल्ली, 18 मई, 1974

का० प्रा० 1341.—यतः केन्द्रीय सरकार की राय है कि इस में उपायध्व अनुसूची में विनिर्दिष्ट विषयों के बारे में श्री कैटन रोड्रीगुज, लांच स्वामी, वासवा —उ— गामा में संबद्ध नियोजकों और उनके कर्मकारों जिनका प्रतिनिधित्व गोवा डॉक औद्योगिक विवाद समिति ने किया है के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः, केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण सं० 2, मुम्बई को न्यायनिर्णयन के लिए निर्देशित करती है।

#### अनुसूची

“क्या ‘एम० एल० सी० मास्टर’ लांच के स्वामी श्री कैटन रोड्रीगुज की श्री मोहन कृष्ण पराब, लांच खलामी की सेवाओं को समाप्त करने की कार्रवाई न्यायोचित है? यदि नहीं, तो वह किस अनुसंधान का हकदार है?”

[सं० एल-36012/2/74-पी एण्ड डी]

#### ORDER

New Delhi, the 18th May, 1974

**S.O. 1341.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Shri Kaitan Rodrigues, Launch Owner, Vasco-da-Gama and his workman represented by Goa Dock Labour Union in respect of the matters specified in the Schedule hereto annexed.

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal No. 2, Bombay constituted under section 7A of the said Act.

## SCHEDULE

"Whether the action of Shri Kaitan Rodrigues, Owner of Launch 'm.l. Sea Master', in terminating the services of Shri Mohan Krishna Parab, Launch Khalasi, is justified? If not, to what relief is he entitled?"

[No. L-36012/2/74-P&D]

का० आ० 1342.—यह कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5-क की उप-धाराओं (3) और (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री बी० के० अडवानी, उपाध्यक्ष मोर्मुगाओ पोर्ट ट्रस्ट, को मोर्मुगाओ डाक श्रम बोर्ड के एक सदस्य के रूप में नियुक्त करती है और उन्हें पहली मई, 1974 के पूर्वार्द्ध से 25 मई, 1974 तक श्री आर० जे० मजिठिया के स्थान पर उक्त बोर्ड का अध्यक्ष बनने के लिए नामजद करती है और भारत सरकार के भूतपूर्व श्रम रोजगार और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 2930, दिनांक 20 अगस्त, 1968 में निम्नलिखित संशोधन करती है; अर्थात्:—

उक्त अधिसूचना में,—

- (i) प्रारंभिक पैराग्राफ में, "श्री आर० जे० मजिठिया" शब्दों और वर्णों के स्थान पर "श्री बी० के० अडवानी" शब्दों और वर्णों को प्रतिस्थापित किया जायेगा;
- (ii) "केन्द्रीय सरकार का प्रतिनिधित्व करने वाले सदस्य" शीर्षक के नीचे मसूदा (1) के सामने की प्रविष्टि के लिए, निम्न प्रविष्टि प्रतिस्थापित की जायेगी, अर्थात्: "श्री बी० के० अडवानी, उपाध्यक्ष, मोर्मुगाओ पोर्ट ट्रस्ट, मोर्मुगाओ"।

श्रम मंत्रालय की अधिसूचना संख्या बी-16012/1/73-पी० एण्ड डी० दिनांक . . के साथ संलग्न किया जाने वाला व्याख्यात्मक भाषण।

श्री आर० जे० मजिठिया ने मोर्मुगाओ पोर्ट ट्रस्ट के अध्यक्ष के पद का कार्यभार 1-5-1974 के पूर्वार्द्ध से छोड़ दिया और श्री बी० के० अडवानी, मुख्य इंजीनियर, मोर्मुगाओ पोर्ट ट्रस्ट, ने उन से अध्यक्ष के पद का कार्यभार ले लिया। मोर्मुगाओ पोर्ट ट्रस्ट के अध्यक्ष की हैसियत में श्री बी० के० अडवानी को पहली मई, 1974 के पूर्वार्द्ध से मोर्मुगाओ डाक श्रम बोर्ड मोर्मुगाओ के अध्यक्ष के रूप में नियुक्त किया जा रहा है। श्री बी० के० अडवानी की इस प्रकार भूतवर्षी प्रभाव से नियुक्त करने के फलस्वरूप किसी तीसरे व्यक्ति के हितों को कोई हानि नहीं पहुंचेगी।

[बी-16012/1/73-पी एंड डी]

बी० शंकरालिंगम, अवर सचिव।

S.O. 1342.—In exercise of the powers conferred by sub-section (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Shri B. K. Advani, Deputy Chairman, Mormugao Port Trust as a member of the Mormugao Dock Labour Board and nominates him to be the Chairman of the said Board vice Shri R. J. Majithia with effect from the fore-noon of 1st May, 1974 to the 25th May, 1974 and makes the following amendments in the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 2930, dated the 20th August, 1968, namely:—

In the said notification:—

- (i) In the opening paragraph, for the words and

letters "Shri R. J. Majithia", words and letters "Shri B. K. Advani" shall be substituted,

- (ii) Under the Heading "Members representing the Central Government" for the entry against item (1), the following entry shall be substituted, namely:—

"Shri B. K. Advani, Deputy Chairman, Mormugao Port Trust, Mormugao".

Explanatory Memorandum to be appended to the Ministry of Labour notification No. V-16012/1/73-P&D dated .....

Shri R. J. Majithia relinquished charge of the post of Chairman, Mormugao Port Trust, on the fore-noon of 1st May, 1974 and Shri B. K. Advani, Chief Engineer Mormugao Port Trust, took over charge of the post of Chairman from him. In his capacity as the Chairman of the Mormugao Port Trust, Shri B. K. Advani is being appointed as the Chairman, Mormugao Dock Labour Board, Mormugao, with effect from the fore-noon of 1st May, 1974. No third person's interests would be adversely affected by giving such retrospective effect to the appointment of Shri B. K. Advani.

[V. 16012/1/73-P&D]

V. SANKARALINGAM, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 14 मई, 1974

का०आ० 1343.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जयश्री टाकीज, नवानगर हाई स्कूल रोड, जामनगर, नामक स्थापन से संबंधित योजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के मार्च के इकतीसवें दिन को प्रबल हुई समझी जाएगी।

[सं० एम० 35019 (124)/73-पी०एफ० 2]

## MINISTRY OF LABOUR

New Delhi, the 14th May, 1974

S.O. 1343.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jay-Shri Talkies, Nawanager High School Road, Jamnagar, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of March, 1973.

[No. S.35019 (124)/73-PF. II]

का० आ० 1344.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हीना निटिंग इण्डस्ट्रीज, हीरालाल काकोनी, अश्विनी कुमार रोड, सूरत-3 नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू करनी है;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के दिसम्बर, के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(106)/73-पी० एफ० 2]

**S.O. 1344.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Hina Knitting Industries, Hiralal Colony, Ashwini Kumar Road, Surat-3 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act, to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1972.

[No. S. 35019(106)/73-PF. II]

का० आ० 1345.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वसु निटिंग इण्डस्ट्रीज, हीरालाल काकोनी, अश्विनी कुमार रोड, सूरत-3 नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहियें;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है;

यह अधिसूचना 1972 के दिसम्बर, के इकतीसवें दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019 (102)/73 पी० एफ० 2]

**S.O. 1345.**—Whereas it appears to Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vasu Knitting Industries, Hiralal Colony, Ashwini Kumar Road, Surat-3 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act, to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1972.

[No. S. 35019(102)/73-PF. II]

का० आ० 1346.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इंडियन स्टील इंडस्ट्रीज, 8571, राष्ट्रपति रोड, सिकन्दराबाद नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहियें;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिसूचना के अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के दिसम्बर, के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019 (82)/73-पी० एफ० 2]

**S.O. 1346.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Indian Steel Industries, 8571, Rashtrapathi Road, Secunderabad, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1972.

[No. S. 35019/82/73-PF. II]

का० आ० 1347.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लीडर रबर इंडिया, संख्या 592/1बी० थिरुमयम रोड, पोस्ट बॉक्स संख्या 5, पुदुक्कोट्टाह, त्रिचुरी जिला नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहियें;

[अतः, अब उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के जनवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(79)/73-पी० एफ० 2]

**S.O. 1347.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Leader Rubber India, No. 5921/1B, Thirumayam Road, Post Box No. 5, Pudukkottah, Trichury District have agreed that the provisions of the employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1973.

[No. S. 35019/79/73-PF. II]



का० घा० 1348.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रीमियर एग्रीकल्चरल इंजीनियरिंग कॉर्पोरेशन, जेरा कॉर्नर, सिकन्दर-गढ़ जिसमें 2153/2, हिल स्ट्रीट, रानीगंज, सिकन्दरगढ़ स्थित इसकी शाखा भी सम्मिलित है नामक स्थापन में संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन, निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए :

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1972 के सितम्बर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019 (157)/72-पी० एफ० 2]

S.O. 1348.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Premier Agricultural Engineering Corporation, Jera Corner, Secunderabad including its branch at 2153/2, Hill Street, Ranigani, Secunderabad have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of September, 1972.

[No. S. 35019/157/72-PF. II]

का० घा० 1349.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि इंडस्ट्रियल मैटेरियल्स, 144 सी० आई० टी० रोड स्कीम, 52, कलकत्ता-14 नामक स्थापन में संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के नवम्बर के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017(7)/74-पी० एफ० 2(i)]

S.O. 1349.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Industrial Materials, 144 C.I.T. Road, Scheme, 52, Calcutta-14 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1973.

[No. S. 35017(7)/74 PF. II(i)]

का० घा० 1350.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध विषय में आवश्यक जांच करने के पश्चात् 1 नवम्बर, 1973 से मैसर्स इंडस्ट्रियल मैटेरियल्स, 144, सी० आई० टी० रोड, स्कीम 52, कलकत्ता-14 नामक स्थापन को उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं० एम० 35017 (7)/74-पी० एफ० 2(ii)]

S.O. 1350.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st day of November, 1973, the establishment known as Messrs Industrial Materials, 144 C.I.T. Road Scheme 52, Calcutta-14 for the purpose of the said proviso.

[No. S. 35017(7)/74-PF. II(ii)]

का० घा० 1351.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हिमालय शिपिंग कंपनी लिमिटेड, 18-बी ब्रोबोर्न रोड, कलकत्ता-1, नामक स्थापन में संबंध नियोजक तथा कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के अप्रैल के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35017 (1)/74-पी० एफ० 2]

S.O. 1351.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Himalaya Shipping Company Limited, 18-B, Brabourne Road, Calcutta-1 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment :

Now, therefore, in exercise of the powers conferred by sub-section (4) of section (1) of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1973.

[No. S. 35017(1)/74-PF. II]

का० घा० 1352.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इंदुल इंजीनियरिंग वर्क्स, गांव हट्टगावा, डाकघर बानीपुर, जिला हावड़ा नामक स्थापन में संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त अधिनियम, की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1974 के जनवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35017(2)/74 पी० एफ० 2]

**S.O. 1352.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Andul Engineering Works, Village Hatgacha, Post Office Binipur, District Howrah have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1974.

[No. S. 35017(2)/74-PF. II]

**का० प्रा० 1353.**—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि, मैसर्स स्टार ऑटोमोबाइल, सारसपुर, बालापूर मिल्स, अहमदाबाद के सामने नामक स्थापन से संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये :

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 के फरवरी के अठारहवें दिन से प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(96)/73 पी० एफ० 2]

**S.O. 1353.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Star Automobiles, Opposite Saraspur, Balapur Mills, Ahmedabad have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty eighth day of February, 1973.

[No. S. 35019(96)/73-PF. II]

**का० प्रा० 1354.**—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ग्रामन्य आफसेट प्राइवेट लिमिटेड, पी-248, सी० आई० टी० स्कीम सं० 6एम, कलकत्ता-54 नामक स्थापन से संबंध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि

और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1973 की जनवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35017(10)/74 पी० एफ० 2 (i)]

दत्तजीत सिंह, उप-सचिव

**S.O. 1354.**—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ananda Offset Private Limited, P-248, C.I.T. Scheme No. VI-M, Calcutta-54 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1973.

[No. S. 35017(10)/74-PF. II(i)]

DALJIT SINGH, Dy. Secy.

प्रावेश

नई दिल्ली, 22 मार्च, 1974

**का० प्रा० 1355.**—यतः केन्द्रीय सरकार की राय है कि इस में उपा-बद्ध धनसूची में विनिर्दिष्ट विषयों के बारे में कनारा बैंकिंग कॉर्पोरेशन लिमिटेड से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच औद्योगिक विवाद विद्यमान है;

और यतः, केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित औद्योगिक अधिकरण (सं० 2), मुम्बई को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या कनारा बैंकिंग कॉर्पोरेशन लिमिटेड के प्रबन्धतंत्र की, श्री एम० पदमनाभू प्रभू, लेखाकार की सेवाओं को 17 सितम्बर 1968 से समाप्त करने की कार्रवाई न्यायोचित्य थी? यदि नहीं तो, वह किम धनतांश का हकदार है?”

[सं० ए० 12025/44/72-एच० प्रा० 3]

## ORDER

New Delhi, the 22nd March, 1974

**S.O. 1358.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Canara Banking Corporation Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, (No. 2), Bombay constituted under Section 7A of the said Act.

## SCHEDULE

"Whether the action of the management of Canara Banking Corporation Limited in terminating the services of Shri M. Padmanabhu Prabhu, Accountant with effect from the 17th September, 1968 was justified. If not, to what relief is he entitled?"

[No. L-12025/44/72/LR.III]

आदेश

नई दिल्ली, 16 अप्रैल, 1974

**क्रा० खा० 1356.**—यतः केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में तेल और प्राकृतिक गैस आयोग, मद्रास के प्रबंधतंत्र से संबंधित नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी बिरु टी० पालमप्पन जिनका मुख्यालय मद्रास होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या तेल तथा प्राकृतिक गैस आयोग, मद्रास के प्रबंधतंत्र की, श्री सी० पुष्प राज, अध्यक्ष-कुशल कर्मकार के अस्थायीकरण के संबंध में कार्यवाई न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है?

[संख्या एल०-30012 (5)/73 एल० आर०-4]

## ORDER

New Delhi, the 16th April, 1974

**S.O. 1356.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Oil and Natural Gas Commission, Madras and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Thiru T. Palamappan as Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the said Industrial Tribunal.

## SCHEDULE

Whether the action of the management of Oil and Natural Gas Commission, Madras, in relation to non-regularisation of Shri D. Pushparaj, Semi-skilled worker is justified? If not, to what relief is the workmen entitled?

[No. L-30012(5)/73-LR-IV]

आदेश

नई दिल्ली, 25 अप्रैल, 1974

**क्रा० खा० 1357.**—यतः केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स ऐल्यूमीनियम कार्पोरेशन आफ इंडिया लि०, 7 कौंसिल हाउस स्ट्रीट कलकत्ता के प्रबंधतंत्र से संबंधित नियोजकों और उनके कर्मचारियों के बीच एक औद्योगिक विवाद विद्यमान है।

और यतः, केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 3) घनदाब को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

क्या मैसर्स ऐल्यूमीनियम कार्पोरेशन आफ इंडिया लि०, 7, कौंसिल हाउस स्ट्रीट, कलकत्ता के प्रबंधतंत्र द्वारा अपनी भद्रपुर दुगु बौक्साइट खान में 7 जनवरी, 1974 से तालाबन्दी की घोषणा करना न्यायोचित था? यदि नहीं तो अन्तर्बलित कर्मकार किस अनुतोष के हकदार हैं?

[संख्या एल-28011/4/74-एस० आर०-4]

## ORDER

New Delhi, the 25th April, 1974

**S.O. 1357.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Aluminium Corporation of India Limited, 7, Council House St. Calcutta and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 3), Dhanbad constituted under section 7A of the said Act.

## SCHEDULE

Whether the management of Messrs Aluminium Corporation of India Limited, 7, Council House St. Calcutta was justified in declaring lock-out at their Madanpur Dugu Bauxite Mine from the 7th January, 1974? If not to what relief are the workmen involved entitled?

[No. L-28011/4/74-LR-IV]

New Delhi, the 14th May, 1974

**S.O. 1358.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur, in the industrial dispute between the employers in relation to the management of Budhpura Sand Stone Mine owned by Shri Mohan Krishna Chaddha, Nayapura, Kota, and their workmen, which was received by the Central Government on the 8th May, 1974.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, JABALPUR.**

Dated 23rd April, 1974

**Present :**

Mr. Justice S. N. Katju.—Presiding Officer.

Case No. CGIT/LC(R)(11) of 1973.

(Notification No. L-29012(16)/73-LR-IV dated 8-6-1973)

**Parties :**

Employers in relation to the management of Budhpura Sand Stone Mine owned by Shri Mohan Krishna Chaddha, Nayapura, Kota and their workmen represented through the Pathar Khan Mazdoor Sangh, Kota, district Kota (Rajasthan).

**Appearances :**

For Management—Shri Mohan Krishan Chaddha.

For Workman—Shri Mahabir P. Sharma.

**Industry :** Lime Stone

**District :** Kota (RAJ.)

**AWARD**

This is a reference under section 10(1)(d) of the Industrial Disputes Act, 1947, hereinafter called the Act. The reference before me relates to the termination of service of Bajranglal Sharma with effect from October, 21st 1972 by the management of Budhpura Sand Stone Mine owned by Shri Mohan Krishna Chaddha, Nayapura, Kota, hereinafter called the management. The dispute of the workman was sponsored by the Pathar Khan Mazdoor Sangh, Kota, hereinafter called the Mazdoor Sangh. The latter took up the matter directly with the employer by a letter dated 9-11-1972 to which the management did not give any reply. Thereafter, the dispute was raised before the Assistant Labour Commissioner (Central), Kota. The management did not send any of its representative before the Assistant Labour Commissioner on the dates when the dispute came up before him for discussion, and eventually, the proceeding before the Assistant Labour Commissioner ended in failure. Thereafter the dispute was referred to this Tribunal.

The Mazdoor Sangh has contended that Bajranglal Sharma was employed as a Munshi by the management from October, 1960, and his services were wrongfully terminated without any notice or charge-sheet being given to him on 21-10-1972. The salary of Bajranglal Sharma at the time when his services were terminated by the management were said to be Rs. 250 per month. In his written statement, Mohan Krishna Chaddha on behalf of the management stated that Bajranglal Sharma was working with him for two years, but he himself left service on 21-10-1972 because he was repeatedly making mistakes in accounting. It was further contended that the salary of Bajranglal Sharma had been paid upto 31-10-1972 and no further amount was due to him. Receipt (Ex. E/1) and a letter of Bajranglal (Ex. E/2) were filed along with the statement of Mohan Krishna Chaddha. In his rejoinder, Mohan Krishna Chaddha stated that Bajranglal Sharma was not working in the mines of the management, but was employed in Chaddha Stone Company, Kota, of which Mohan Krishna Chaddha is a partner and the management firm and Chaddha Stone Company are two separate entities. It was further stated that Bajranglal Sharma repeatedly made mistakes in accounting and he had been warned and he had voluntarily written the receipt and letter, Exs. E/1 and E/2, and it was wrong on the part of the Mazdoor Sangh to say that he had been forced to write them and

he had written the aforesaid documents under duress. It was contended on behalf of the workman that the aforesaid receipt and letter, Exs. E/1 and E/2, were not voluntarily written by Bajranglal Sharma, but he was forcibly made to write them. As mentioned above, it was stated on behalf of the management that Bajranglal Sharma had voluntarily resigned his post and, as such, he was neither entitled to be reinstated nor any amount was due to him from the management. In the letter dated 20-11-1972, Ex. W/2, which was sent by the management to the Mazdoor Sangh in reply to its letter dated 30-3-1972, Ex. W/3, it was stated that Bajranglal Sharma had voluntarily left the service of Chaddha Stone Company, and he had been paid all the amounts that were due to him. The aforesaid letter was sent by G. K. Chaddha for Chaddha Stone Company and Mohan Krishna Chaddha.

Bajranglal Sharma did not give evidence before me but Mahabir Prasad Sharma, the President of the Mazdoor Sangh, gave evidence on behalf of the workman. In cross-examination he said, "I cannot say whether Munshi Bajranglal was working in the mines of Chaddha Stone Industry in Nayapura Kota. I cannot say whether the Chaddha Stone Industry has paid all the dues of Bajranglal." E.W.1, Mangi Lal, has stated that his shop was near the office of Chaddha Stone Company at a distance of 15 feet. He stated that Bajranglal Sharma worked in the aforesaid company for about two years and he had asked the Chaddha Stone Company to give him his wages, but he was told that all his dues had been paid by the Company to him. E.W.2, Mohan Krishna Chaddha, stated, "There are three partners in Chaddha Stone Company. They are—Mohan Krishna Chaddha, Gopal Krishna Chaddha and Karam Chand Chaddha. There is difference between Mohan Krishna Chaddha and Mohan Krishna Chaddha. I am the owner of Mohan Krishna Chaddha business and I am also a partner of the Chaddha Stone Company. Bajranglal was employed in the Chaddha Stone Company by Gopal Kishan Chaddha." It may be that the management had a separate entity from that of the Chaddha Stone Company, but evidently, Mohan Krishna Chaddha was also a partner of the Chaddha Stone Company in which according to him Bajranglal Sharma was employed. There is nothing, however, to substantiate the contention of Bajranglal Sharma that he was employed by the management. From the evidence, it appears that he was an employee of the Chaddha Stone Company. Apart from the allegation made in the written statement-cum-rejoinder of the workman, there is no evidence to show that Exs. E/1 and E/2 were not written voluntarily by Bajranglal Sharma. As mentioned above, Bajranglal Sharma did not appear before me to give evidence in support of his case. I see no reason to disbelieve the statement of Mohan Krishna Chaddha that the receipt, Ex. E/1, and the letter, Ex. E/2, were voluntarily written by Bajranglal Sharma. In this view of the matter, it is not necessary for me to go further into the question whether there is any infirmity in the reference itself. Bajranglal Sharma was not an employee of the management in question. I hold that Bajranglal Sharma had voluntarily left the service of Chaddha Stone Company and all the amounts due to him by way of wages had been paid to him by the employer. I further hold that there was no question of terminating the services of Bajranglal Sharma with effect from October 21, 1972 by the management or Chaddha Stone Company because he had himself voluntarily left the service from the aforesaid date. Consequently, Bajranglal Sharma is not entitled to any relief.

I make my award accordingly. Parties will bear their own costs.

S. N. KATJU, Presiding Officer

[No. L-29012/16/73-LR-IV]

प्रादेश

नई दिल्ली, 24 मई, 1974

क्रा० प्रा० 1359.—यतः केन्द्रीय सरकार की राय है कि इससे उपबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में बाबूलाल श्री यादव की स्वामित्वाधीन बुधपुरा बलुका पत्थर खान, डाकघर बुधपुरा, जिला मुन्दी

के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है:

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 10 की उपधारा (1) की खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर, को न्यायनिर्णयन के लिए निर्देशित करती है।

#### अनुसूची

“क्या श्री बाबुलालजी यादव की बुधपुरा बलुवा पत्थर खान, धकधकपुरा, जिना बुन्दी (राजस्थान) में नियोजित कर्मकार किसी सर्वेजनिक राष्ट्रीय और स्थानीय छुट्टियों की मंजूरी के हकदार हैं? यदि हाँ, तो उनकी प्रमात्रा और उस तारीख का निर्धारण करना जिससे उन्हें ऐसे हकदार होना चाहिए?”

[संख्या एन०-29011(9)/74-एल० आर०-4]

पी० पी० बालन, अवर सचिव

#### ORDER

New Delhi, the 24th May, 1974

**S.O. 1359.**—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Budhpura Sand Stone Mine owned by Babulalji Yadav, Post Office Budhpura, District Bundi and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur constituted under section 7A of the said Act.

#### SCHEDULE

“Whether the workmen employed in the Budhpura Sand Stone Mine of Shri Babulalji Yadav, Post Office Budhpur, District Bundi (Rajasthan) are entitled for grant of any paid national and festival holidays? If so, to fix the quantum and the date from which they should be so entitled?”

[No. L-29011(9)/74-LR-IV]

**S.O. 1360**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in the industrial dispute between the employers in relation to the Beas Dam Project, Talwara and their workmen, which was received by the Central Government on the 18th May, 1974.

BEFORE SHRI H. R. SODHI, PRESIDING OFFICER,  
INDUSTRIAL TRIBUNAL (CENTRAL) CHANDIGARH

Reference No. 7-C of 1973

BETWEEN

The workmen and the management of Beas Dam Project, Talwara.

#### Appearance :

Sarvashri Nihal Singh, Chief Engineer, Kuldip Singh, Personnel Officer and Padamjit Singh, Asstt. Personnel Officer—for the management.

Sarvashri Santokh Singh, Dharam Pal, Prem Singh, Charanjit Singh, O. P. Kalia, Daulat Singh Chohan, P. C. Sharma, Thakur Dass, Yash Pal, Chanan Ram, Des Raj and Chand Singh for the workmen.

#### AWARD

The work-charged employees of Beas Dam Project, Talwara raised a dispute that they were entitled to revised grades of wages w.e.f. 1-2-1968 instead of 1-1-1970 as declared by the management. Demand notice to this effect is dated 18th November, 1972 and was served by the Beas Project Workers United Front, Talwara, on behalf of the workmen. It is common ground that wages of the employees were revised w.e.f. 1-1-1970 but the workmen were dissatisfied with regard to the date from which they should be given the benefit of the revised grades. Conciliation proceedings were held but ultimately on the joint application of the parties, the Central Government referred as per notification dated 26-5-73, published in the Gazette of India, the following matter to this Tribunal which was formerly presided over by Shri P. P. R. Sawhney :—

Whether the work-charged employees of Beas Dam Project, Talwara are entitled to the revised grades with effect from 1st February, 1968 instead of from 1-1-1970? If not, to what relief are they entitled?

I took over as the Presiding Officer in April, 1973 and by Notification No. 12025/27/73/LR-III, dated 6-8-73 the proceedings were transferred to me. The claim statement had been filed by the workmen. The State Government asked me not to proceed with the Central sphere cases presumably because some sort of correspondence between the State Government and the Central Government was going on as to the proportion in which expenses of the Tribunal are to be shared. Ultimately after the expiry of some months I was permitted to go ahead with such cases.

The workmen filed replication as well. On the pleadings of the parties the following issues were framed on 3-11-1973:—

#### Preliminary issue :

Whether the instant reference is bad in law and without jurisdiction for the reasons given in paras. 1 to 3 of the preliminary objections in the written statement, it being pleaded *inter-alia* on behalf of the respondent management that the application for joint reference was not duly signed by the President of the concerned union nor is the Beas Project Workers United Front a trade union registered under the Trade Unions Act and also because the Executive Committee of the said Workers United Front did not pass any resolution to raise the demands covered by the reference nor has the demands been espoused by a substantial number of workmen of the Project?

#### On merits :

- (1) Whether the work-charged employees of Beas Dam Project, Talwara are entitled to revised grades w.e.f. 1-2-1968 instead from 1-1-1970?
- (2) If issue No. 1 is found in favour of the workmen to what relief, if any, are they entitled?

The parties were required to file documents and they did so. Neither of the parties has challenged the correctness of the contents of any of the documents filed by the opposite party no matter whether they are originals or copies. The management filed a list of witnesses as well in pursuance of my order dated 3-11-1973. The case was taken up at Talwara on 14-3-74 when the management was represented by Sarvashri Kuldip Singh and Padamjit Singh and workmen by Shri Santokh Singh. It was represented to me that a negotiated settlement was possible and that I should take up the case next day.

On the adjourned hearing, the Chief Engineer along with others appeared on behalf of the management and Shri Santokh Singh of the Beas Dam Project Workers United Front, Talwara, which alone was a party to the Reference continued to represent the workers. An objection was raised on behalf of the workmen that the management was coercively obtaining undertakings from individual workmen whereby they were being made to surrender their special increments if they were to avail of the revised grades from 1-2-1968. A cyclostyled copy of such undertaking was shown to me and a verbal request made on behalf of the workmen that I should restrain the management from pursuing this course lest it should disturb the industrial peace. Despite protests by the Chief Engineer and others on behalf of the management I felt that it was in the interest of both the parties that *status quo* be allowed to continue and the management prohibited from getting any undertakings till the reference was finally disposed of. I, therefore, on 15-3-74 ordered accordingly. The management within a few days presented an application for the vacation of the stay order and four other presumably categorywise unions, namely, (i) Workers Union Beas Dam, Talwara, (ii) Project Earth Moving Operators Union, (iii) Heavy Earth Moving Operators Union and (iv) Beas Dam Karamchhari Sangh made applications for being impleaded as parties. They too applied for vacation of the stay order as granted on 15-3-74. Notices of these applications were issued to the respective parties and their representatives heard on 27-3-74. None took any objection to the applications of the aforesaid unions seeking to be impleaded. The stay order was modified and the modification was almost an agreed one so far as the various unions were concerned, I also gave an interim direction that the workmen would not go on strike. It is unnecessary to refer to the details of the interim order as I am now giving the final adjudication and the interim order passed earlier will automatically cease to operate. Preliminary issue has not been pressed.

The management filed a list of 19 witnesses including Chief Engineers of the States of Haryana, Rajasthan, Himachal Pradesh, a Member of Bhakra Management Board, Secretary, Beas Construction Board and others. No witness was summoned except an Assistant from the office of the Labour Commissioner, Punjab, who appeared as R.W. 1. Interrogatories were, of course, filed for the examination of some Chief Engineers of different States and other officials from those States. Before interrogatories could be issued to the witnesses, the case was taken up at Talwara on 14th and 15th March, 1974. The Chief Engineer urged that the Board being an independent body was not bound to follow Punjab Government's decisions and the offer of the management that grades could be revised w.e.f. 1-2-68 was in the nature of package deal inasmuch as that if the conditions as suggested by him including the surrender of special increments received by the workmen and furnishing of an undertaking not to go on strike were not acceptable to them they could not be permitted to avail of the benefits of the revised grades w.e.f. 1-2-1968. The parties suggested that I better examine Shri S. Kashyap, Secretary of the Board whose name appeared in the list of witnesses and I myself felt that he alone could throw proper light on the so-called package deal as mentioned to me. On the joint request of the parties the case was fixed at Delhi on 22-4-74. Shri S. Kashyap was examined as R.W. 2. After his statement the authorised representatives of the management made statements that they were not to produce any more evidence. The workmen too relied on whatever Shri Kashyap had stated and also on the documents filed by them and admitted by the opposite party. The case of both the parties consequently having been closed on 22-4-74 the interrogatories which were to be issued to the witnesses stood withdrawn.

In order to adjudicate on the present reference it is necessary to briefly refer to the history of the Project and how the Board was from time to time following the Punjab pattern in its administration of the Project including fixation of wage structure, grant of dearness allowances and other connected matters. There are about 16000 work-charged employees working at the Project in Talwara, known as Unit No. 2. The Project was started somewhere in the year 1962 and continued to be managed and controlled by the erstwhile State Government of united Punjab till the creation of new States of Punjab, Haryana and Union Territory of Himachal Pradesh under the Punjab Re-organisation Act, 1966, referred to hereinafter as the Act. Section 80 of the Act made a special provision in respect of the Project. The construction of the Project was taken over by the Central Government on behalf

of the successor States and the State of Rajasthan which is also a beneficiary under the Project. The Beas Construction Board has been created under the Act. It was open to the Board to appoint such staff as it thought necessary for the efficient discharge of its functioning but every person who was immediately before the constitution of the Board engaged in construction or any work relating to the Beas Project is entitled to continue to be employed in connection with the said work on the same terms and conditions of wages as were applicable to him before the coming into force of the Act and till the Central Government by an order directs otherwise. The employees, which expression would include work-charged employees as well are thus equally entitled to continue on same terms and conditions. The rates of wages as paid by the Punjab Government to these employees were made applicable by the Board. The Punjab Government had prepared a Common Schedule of Rates indicating the rates which were paid by the Punjab Government to its work-charged staff of the same categories as were then employed in the Project and this common schedule was continued to be adopted by the Board as well. The workmen have placed on record letter No. BP-275/19/Pb, dated 4-5-72 marked 'B' by which the Board allowed additional relief to the workmen of the Project as was announced by the Punjab Government in their letter dated 17th/18th April, 1972. By letter marked 'C' the Board conveyed the sanction of its Chairman to fix revised pay scales of work-charged staff in accordance with the provisions of the Punjab Civil Service Rules. By another letter dated 3-2-1972, marked 'D', the Board in fact gave a general direction to the General Manager to apply to the Common Schedule of Rates all amendments issued by the Punjab Government from time to time upto 31-12-1969. In the matter of dearness allowance the General Manager was further directed to automatically adopt all amendments/clarifications in respect of employees of the Project as and when issued by the Punjab Government. Dearness Allowance was converted into dearness pay by following the policy of the Punjab Government. It was only with regard to categories not appearing in Common Schedule of Rates that the Board acted independently on the recommendations of its own Standing Committee. Shri Kashyap R.W. 2 has not been able to controvert the position as stated above in the matter of adoption of Punjab policy from time to time to the employees on the Project though some of them hail from the States of Himachal Pradesh, Rajasthan and Haryana. The reason was obvious. The management had in fact no choice since it could not discriminate between workman and workman by applying one wage structure to Punjab employees and another to the employees from other States. Shri Kashyap deposes that the Board takes independent decisions and that the pay scales of work-charged employees of Punjab Government were originally revised w.e.f. 16-2-1970 and the Board thus decided to revise the wages of their own employees also w.e.f. the same date. He further deposes that the Punjab Government afterwards ordered the revision to take effect from 1-2-1968 by an executive decision taken somewhere in April, 1973 and this action of the Punjab Government gave rise to a demand by the employees of the Project that their pay scales too be revised from 1-2-1968. The General Manager is stated to have recommended to the Board that the demand of the workmen be accepted and on consideration of this recommendation the Board issued the Memorandum Ext. R/1, operative part of which is in the following terms :—

- (1) The management agrees to bringing into effect the revised pay scales in respect of the work-charged employees on the Beas Project from 1-2-1968 instead of 1-1-1970 already sanctioned with the Board's office letters No. 6947-50/BP-275/1, dated 12-8-70, No. 390-91/275/2, dated 8-1-71 and No. 1592-93/BP-275/2 dated 20-2-71 in lieu of which the workmen will surrender special increments received by them under specific settlements made on 18-1-73 and 28-2-73 for Unit II and Unit I respectively, and in working out the arrears of pay, the amount of special increments shall be adjusted.
- (ii) The workmen shall not resort to any go-slow/agitation/strike on the project till its completion and in this regard the Union's representatives/workmen shall give an undertaking in writing as per the specimen attached.
- (iii) Such of the workmen who do not wish to avail of the revision of pay scales from 1-2-68, can exer-

cise their option to be governed by the existing pay scales as revised with effect from 1-1-70 and in the event of their doing so they will not have to surrender special increments, if any, received by them. Option once exercised shall be considered as final.

It is the aforesaid terms that were described by the management as a package deal. The State Governments of Haryana and Rajasthan which are partners in the venture of the Project had also revised the pay scales of their regular staff from different dates as stated by Shri Kashyap. Haryana State revised w.e.f. 1-2-1969 and Rajasthan from some other date probably after 1-2-1969 but the witness did not remember the exact date. As regards Punjab, it revised the pay scales of the regular staff of all the departments from 1-2-1968 and later the same rule in regard to its work-charged employees was followed. Shri Kashyap states that no significance could be attached by the Board to the date as chosen by the Punjab Government for the revision of pay scales of the employees of the latter since from 1-1-1970 the Board has de-linked itself from Punjab in the matter of following the pattern of the latter and resolved to take its own independent decisions. The package deal matter is probably such decision and it has led to the present trouble. To appreciate the fairness and reasonableness of the imposition of conditions referred to in Ext. R/1, it will be useful to look into the settlement Ext. R/2. It was on a demand by the workmen of Units No. I and II for extension of certain benefits that the said settlement was reached between the management and the work-charged employees. The two vital features of the settlement are that the management gave to the bulk of the workmen one special increment and they undertook not to go on strike for a period of one year which has by now expired. According to Shri Kashyap the object of giving special increments was to give the workmen additional emoluments and not to recognise any special job done by them. The offer now contained in Ext. R/1 is stated by Shri Kashyap to be virtually an extension of that settlement in the interest of industrial peace. It may be so but one has to take notice of realities of life and not stand on legalistic or technical pedestals. The settlement also provides that normal date of increment of such workmen should not be altered by the grant of special increments which would only be in addition to the normal one. The cases of those of the workmen who had not been granted special increments and were on the rolls on 1-1-70 were to be considered sympathetically. The controversy between the management and the workmen is indeed now narrowed down to the short question as to whether the workmen should be called upon to surrender their special increments if they want the benefit of revision of wages w.e.f. 1-2-1968 which the management is prepared to offer. After giving my careful thought to the matter I feel that no rule of social and economic justice in the present conditions of high price rise can justify the withdrawal of a little financial benefit given to a workman earlier by way of a special increment under a settlement merely because the wages are being revised generally from a back date. The conditions prevailing in the project might have required a special increment as for aught we know the prices of essential commodities at Talwara which is a way side place might be higher than those in Punjab. One is not in error in taking a judicial notice of the fact that price rise is progressively on increase and at any rate there is no evidence on the record as to the details and circumstances leading to the award of special increments under the Settlement Ext. R/2. If we are not yet able to secure a living wage to the workmen a sympathetic approach and an effort to neutralise the price rise as far as possible can alone lead to industrial peace though un-reasonable demands of the workmen cannot be met either. The respondent management at one stage generously granted a special increment to its workmen and if it is also decided to revise the scales of wages of all categories of employees with a back date it does not sound fair and just that what is given with one hand is partly taken back with the other and this is what the withdrawal of increments is tantamount to. The representatives of all the unions before me including those who at one time were stated to have agreed to the offer as contained in Ext. R/1 vehemently urged that they should be allowed to retain the increments and the revised wages be made applicable w.e.f. 1-2-1968 without any pre-conditions and alternatives. The Project is near completion and the management will not be well advised in losing the grace of applying the revised scales w.e.f. 1-2-1968 and requiring in these days of high prices the surrender of the special increments as a condition precedent. States of Haryana and

Rajasthan revised the grades of their employees from back dates and so did Punjab but w.e.f. 1-2-1968. The respondent management has always been following the Punjab pattern and there is no reason why in the present case also it should not do so. I, accordingly, direct that the revision of grades as decided upon by the management will take effect from 1-2-1968 as claimed by the workmen and not from 1-1-1970. The special increments drawn by the workmen under any settlement will not be surrendered by them simply to get the benefit of revision of their wages from 1-2-1968. The representatives of all the unions represented before me agreed to give undertaking that they would not go on strike till the completion of the Project so far as the matter of wages is concerned. I feel that this undertaking of the workmen is quite reasonable and should be enforced. It is, accordingly, directed that the other conditions as contained in Ext. R/1 will be operative. In other words if the workmen want to derive the benefit of revision of grades w.e.f. 1-2-1968 the unions will give undertakings as envisaged in Ext. R/1 that they will not till the completion of the Project serve any strike notice or go on strike in any shape or form by raising an issue directly or indirectly connected with the subject matter of wages. It does not follow that the strike by the workmen in any other case will be deemed to be justified. A Strike in the present conditions of the society is most harmful and damaging to the people as it sets back the hands of the clock of progress and will lead to loss in production which the country can ill afford at the present critical juncture. If the workmen will go on strike on any other issue they will have to justify the same on its own merits.

The reference thus stands disposed of with the aforesaid findings but there is no order as to costs.

May 9, 1974

H. R. SODHI, Presiding Officer

[No. L-42012/10/73/LRIII

**S.O. 1361.**—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Chandigarh in respect of a complaint under section 33-A of the said Act filed by Shri Nagnoo Ram, Beldar which was received by the Central Government on the 18th May 1974.

BEFORE SHRI H. R. SODHI, PRESIDING OFFICER,  
INDUSTRIAL TRIBUNAL (CENTRAL) CHANDIGARH

Complaint No. 2-C/1 of 1974

Under Section 33-A of the Industrial Disputes Act, 1947.  
Shri Nagnoo Ram, Beldar, Token No. 646-I c/o Beas  
Sutlej Link Workers Union, Sundernagar (District Mandi)

..... Complainant

Vs.

The Executive Engineer, Hydrel Inspection Division  
Sundernagar (H.P.)

..... Respondent

Appearance :

Shri Rattan Lal—for the respondent management.

Shri Mohinder Singh Toggar—for the complainant.

AWARD

Shri Nagnoo Ram was employed with the responder management as Beldar having token No. 646-I in October 1972 and was working in the Hydrel Inspection Division of the Project at Sundernagar. Reference No. 2-C of 127 in which the complainant was a concerned workman was pending before this Tribunal when by an order dated 21-9-73, Ext. R/5, the workman was deemed to have voluntarily resigned from the job and his name was struck off from the rolls. The case of the complainant is that o



receipt of information about the sudden death of his brother's daughter he applied for two days' leave, i.e. 3rd and 4th September, 1973 but before the same was sanctioned he proceeded to his village. The averment further is that he returned to duty on 5th September 1973 but the Sectional Officer refused to assign any work and mark his attendance on the time card. The workman is stated to have approached the Sub-Divisional Officer concerned who gave no relief and then he approached the Executive Engineer who too turned a deaf ear. According to the complainant he that very day went to the Secretary and President of the B.S.L. Workers Union of which he was the member and the General Secretary sent a saving gram to the Sub-Divisional Officer informing him that the workman's attendance was not being marked without any reason and that his services were terminated arbitrarily without any enquiry. A copy of that saving gram has been placed on the record as Ext. C/1. The management in its reply raised an issue that the complaint was not maintainable as the provisions of Section 33 of the Industrial Disputes Act were not attracted. On facts the case pleaded is that 2nd September, 1973 was the rest day of the workman but he did not turn up on 3rd September, 1973 and continuously remained absent and that he never approached the Sectional Officer, or Sub-Divisional Officer on 5-9-1973 or on any other date for regularisation of his period of absence and continuing on duty. On the pleadings of the parties, the following issues were framed :—

- (1) Whether the complainant voluntarily resigned from service or could his cessation from service be treated as a voluntary resignation in the terms of the Standing Order No. 14 to the respondent establishment?
- (2) If issue No. 1 is found in favour of the complainant and against the management was not the complainant entitled to any relief?
- (3) Whether the complainant was dismissed from service during the pendency of Reference No. 2C of 1971 before this Tribunal so as to attract the applicability of Section 33 of the Industrial Disputes Act and, if so, to what relief is the complainant entitled?

The management on which lay the burden of two issues, produced its evidence first. Shri Atam Parkash, Sub-Divisional Officer, appeared as R.W. 1. It is stated by him that the complainant was working with him w.e.f. 23-10-1973 but was coming to duty regularly and had been warned. The complainant is stated to have been absent on 9th and 10th August, 1973 and that when he returned to duty on the following day he apologised in writing which apology has been produced by the witness as Ext. R/1. There is an endorsement, Ext. R/2 on Ext. R/1 showing that the workman was allowed to resume duty. Ext. R/3 is the application for casual leave for 9th and 10th August, 1973. The workman made this application after having availed of the leave without prior permission. As regards the absence which led to the termination of his services, the statement of the Sub-Divisional Officer, Ext. R.W. 1 is that 2nd September, 1973 was the rest day of the complainant but on the next day and the following several days making a total period of a fortnight the complainant did not turn up. The action taken by the management in treating him as having voluntarily abandoned the service in terms of the Standing Orders is defended by the witness it being categorically deposed by him that the workman did not come to him on 5th September, 1973. A suggestion was put to the witness in cross-examination whether the Labour Welfare Officer or any one else had approached him in regard to the complainant and he denied the suggestion. The complainant, on the other hand, produced Shri Sudershan Kumar Bali, from office of the Labour Welfare Officer of the respondent Project as A.W. 1. He admits that saving gram, Ext. C/1, was received from the General Secretary, B.S.L. Workers Union in his office. He also admits that letter Ext. C/2 was addressed by the Labour Welfare Officer to the Executive Engineer requiring the latter to intimate the facts of the case and the action taken on the saving gram, Ext. C/1. The Executive Engineer sent a reply, Ext. C/3, wherein it is stated that the matter was being processed/investigated and the detailed reply would be sent in due course. Shri Dhani Ram is a clerk in the office of the Hydel Inspection Division of the respondent Project. It is deposed by him that a copy of the saving gram, Ext. C/1, as received in his office was originally sent to the Sub-Divisional Officer-2 as address of

the workman was not correctly given in the said saving gram. The Sub-Divisional Officer-2 is stated to have returned the saving gram and it was then that the same was sent by the office to the Sub-Divisional Officer concerned, i.e. Shri Atam Parkash, R.W. 1. Shri Nagnoo Ram went into the witness box as A.W. 3 and reiterated the facts pleaded in his complaint reference to which has already been made above. He emphatically asserted that he reported for duty to the concerned Sectional Officer on 5th September, 1973 but the latter did not mark him present, that the Sub-Divisional Officer, did not listen to his complaint and nor did the Executive Engineer concerned pay any attention. It was then that he met Shri M. S. Toggar and the General Secretary both of whom had the saving gram, Ext. C/1, sent to the Executive Engineer with a copy to the Labour Welfare Officer. The complainant has stated that he sent his leave application in advance through a co-worker whose name he does not remember and who resides at a distance of two furlongs from his house. Shri Narinder Pal Sharma, A.W. 4, has no personal knowledge of any facts except that he sent the saving gram, Ext. C/1, to the Executive Engineer with a copy to the Labour Welfare Officer. I have considered the above evidence and am satisfied that the complainant is not telling the truth when he asserts that he had submitted an application for two days' leave prior to his absencing himself from duty on 3rd and 4th September, 1973. The previous antecedents of the workman show that he is not in the habit of obtaining prior leave. Be that as it may I am equally satisfied that the Sub-Divisional Officer is also not telling the truth when he says that the workman did not report for duty on 5th September, 1973 and the latter absented himself continuously for a fortnight. Men may lie but circumstances do not. The very circumstance that on 5th September, 1973, the workman approached the General Secretary of the Union complaining that he was not being marked present and assigned duty and that a saving gram, Ext. C/1, was sent on that very day leaves no room of doubt in my mind that part of the version as given by the complainant in this regard is wholly correct. I fail to understand why the Executive Engineer should have written in the letter dated 13th September, 1973, Ext. C/3, that the matter was being processed and investigated and that the detailed report would be sent to the Labour Welfare Officer when by that time he had known that the workman abandoned duty from 3rd September, 1973 onwards, 2nd September, 1973 of course being his rest day. What seems to have happened is that the Sub-Divisional Officer got annoyed with the conduct of the workman who had been previously as well as absencing himself without prior permission and availing of this opportunity of his absence for two days which might have been due to good cause refused to give work to him so that he could be dubbed as an absentee for a continuous period of 10 days and the applicability of the Certified Standing Order was attracted. No doubt in terms of Standing Order No. 14, if a workman remains absent without prior permission he has to be marked absent in the Foreman Time card and he also rendered himself liable to disciplinary action. If he remains absent for more than 10 days he can be treated to have voluntarily resigned the job. The sole question that arises for consideration is whether the workman absented himself for more than 10 days. My findings on a resume of the entire evidence is that the workman was not absent from duty for 10 days or more and that he did report for 5th September, 1973 but the Sectional Officer and the Sub-Divisional Officer, Ext. R.W. 1, refused to take him back in his job and there was an attempt on their part to create evidence so as to find an excuse for pressing into service order No. 14 of the Certified Standing Orders to get rid of the complainant. Whatever might have been the impropriety or even indiscipline on the part of the workman I see no justification for the management to have behaved in this manner by treating him as having abandoned service in terms of Standing Order No. 14. It is, accordingly, directed that the workman shall be taken back in service and that continuity of service for any benefit that might be available to him will not be deemed to have been disturbed for the alleged absence from duty said to have been commenced from 3rd September, 1973.

The next question that survives is whether while directing his reinstatement I should also allow him back wages. The normal rule, of course, is that back wages should be allowed but it is not an absolute one. The circumstances of the case and the antecedents of the complainant are such that he does not deserve full back wages as any such order would be putting a premium on his indiscipline. Moreover, he has not stated in his evidence that he is still unemployed



or for how much period he remained un-employed. In such a situation I do not feel that justice of the case demands that the complainant should be declared entitled to full back wages. I order accordingly.

There is no order as to costs.

H. R. SODHI, Presiding Officer

May 4, 1974.

[No. L. 42025/3/74/LRIII]  
P. P. KANTHAN, Under Secy.

नई दिल्ली, तारीख 22 मई, 1974

का० आ० 1362.—भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का० आ० 1780, तारीख 19 जू, 1963 द्वारा गठित केन्द्रीय सरकार श्रम मंत्रालय जयपुर में पीठासीन अधिकारी का पद रिक्त हो गया है ;

अतः, अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री भानु कुमार जैन को 22 अप्रैल, 1974 से उक्त श्रम न्यायालय का पीठासीन अधिकारी नियुक्त करती है।

[का० संख्या एम-11025/23/74-एल० आर०-1]

New Delhi, the 22nd May, 1974

S.O. 1362.—Whereas a vacancy has occurred in the office of the presiding officer of the Central Government Labour Court, Jaipur constituted by the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 1780 dated the 19th June, 1963;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri Bhanu Kumar Jain as the presiding officer of the said Labour Court with effect from the 22nd April, 1974.

[F. No. S-11025/23/74-LR.I.]

का० आ० 1363.—यतः भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का० नि० आ० 2389, दिनांक 10 जुलाई, 1957 द्वारा पठित औद्योगिक अधिकरण जिसका मुख्यालय दिल्ली में है, के पीठासीन अधिकारी का पद रिक्त हो गया है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार एतद्वारा श्री डी० डी० गुप्ता को 6 अप्रैल, 1974 से, उपर्युक्त रूप से गठित औद्योगिक अधिकरण के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[का० संख्या एम-11025/22/74-एल० आर०-1]

S.O. 1363.—Whereas a vacancy has occurred in the office of the presiding officer of the Industrial Tribunal with headquarters at Delhi, constituted by the notification of the Government of India in the late Ministry of Labour and Employment, No. S.R.O. 2389, dated the 10th July, 1957;

Now, therefore, in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri D. D. Gupta as the presiding officer of the Industrial Tribunal constituted as aforesaid, with effect from the 6th April, 1974.

[F. No. S-11025/22/74-LR.I]

नई दिल्ली, 27 मई, 1974

का० आ० 1364.—यतः भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का० आ० 172, दिनांक 16 जनवरी, 1960 द्वारा गठित औद्योगिक अधिकरण, बम्बई के पीठासीन अधिकारी का पद रिक्त हो गया है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री बी० रामलाल किशन को 10 मई, 1974 से यथागठित औद्योगिक अधिकरण के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[का० संख्या एस-11025/14/74-एल० आर० I(i)]

New Delhi, the 27th May, 1974

S.O. 1364.—Whereas, a vacancy has occurred in the office of the presiding officer of the Industrial Tribunal at Bombay, constituted by the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 172, dated the 16th January, 1960 ;

Now, therefore, in exercise of the powers conferred by section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri B. Ramlal Kishen, as the presiding officer of the Industrial Tribunal constituted as aforesaid, with effect from the 10th May, 1974.

[F. No. S-11025/23/74-LR.I (i)]

का० आ० 1365.—यतः भारत सरकार के भूतपूर्व श्रम और रोजगार मंत्रालय की अधिसूचना संख्या का० आ० 1698, दिनांक 22 मई, 1965 द्वारा गठित श्रम न्यायालय, बम्बई के पीठासीन अधिकारी का पद रिक्त हो गया है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री बी० रामलाल किशन को 10 मई, 1974 से यथा गठित श्रम न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[का० संख्या एम-11025/14/74-एल० आर० I (ii)]

बी० के० चानना, उप सचिव

S.O. 1365.—Whereas a vacancy has occurred in the office of the presiding officer of the Labour Court at Bombay, constituted by the notification of the Government of India in the late Ministry of Labour and Employment No. S.O. 1698, dated the 22nd May, 1965 ;

Now, therefore, in exercise of the powers conferred by section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri B. Ramlal Kishen as the presiding officer of the Labour Court constituted as aforesaid, with effect from the 10th May, 1974.

[F. No. S-11025/23/74-LR.I (ii)]

V. K. CHANANA, Dy. Secy.

## पूति और पुनर्वासि मंत्रालय

## (पुनर्वासि विभाग)

नई दिल्ली, 15 मई, 1974

का० प्रा० 1366.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वासि) अधिनियम, 1954 की धारा 34 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा भारत सरकार के तत्कालीन श्रम और पुनर्वासि मंत्रालय (पुनर्वासि विभाग) की अधिसूचना संख्या 2(8)/विशेष सेल/69-एम०एस०-11 दिनांक 2 मई, 1973 का अनिवार्य करने हुए मैं, न० बे० सुन्दर रामन, मुख्य बन्दोबस्त आयुक्त द्वारा राजन तथा बत विभाग की अधिसूचना संख्या एच०एम० 1073/10155 आई०सी० (1) दिनांक 22 फरवरी 1974, के अन्तर्गत महाराष्ट्र सरकार द्वारा महाराष्ट्र राज्य के लिए नियुक्त किए गए बन्दोबस्त आयुक्त श्री एम० ए० कुलकर्णी को उक्त अधिनियम की धारा 23, 24 एवं 28 के अन्तर्गत मेरे द्वारा प्रयोग की जा सकने वाली शक्तियाँ इस अर्थ पर सौंपता हूँ कि महाराष्ट्र राज्य के लिए उक्त बन्दोबस्त आयुक्त सुभाषा भंडार की ऐसी सम्पत्तियों संबंध में, जो महाराष्ट्र राज्य में स्थित नहीं हैं, इस प्रकार की किसी शक्ति का प्रयोग नहीं करेंगे।

[संख्या 2(8)/विशेष सेल/एम० 4/69]

न० बे० सुन्दर रामन मुख्य बन्दोबस्त आयुक्त

## MINISTRY OF SUPPLY &amp; REHABILITATION

## (Department of Rehabilitation)

New Delhi, the 15th May, 1974.

S.O. 1366.—In exercise of the powers conferred by sub-section (2) of section 34 of the displaced persons (compensation & Rehabilitation) Act, 1954 and in supersession of the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Rehabilitation) No. 2(8)/Spl. Cell/69 SS II dated the 2nd May, 1973, I, N. V. Sundaraman, Chief settlement Commissioner hereby delegate to Shri S. A. Kulkarni, Settlement Commissioner for Maharashtra State appointed by the Government of Maharashtra under revenue and forests Department Notification No. HS 1073/10155. I. C. (I) dated the 22nd February, 1973, the powers conferred on me by or under sections 23, 24 and 28 of the said Act, subject to the conditions that the said settlement Commissioner for the State of Maharashtra shall not exercise any such powers in relation to the compensation pool properties not situated in Maharashtra State.

[No. 2(8)/Spl. Cell/SS IV/69]

N. V. SUNDARA RAMAN, Chief Settlement Commissioner.

का० प्रा० 1367.—महा अभिरक्षक के रूप में निष्क्रान्त सम्पत्ति प्रशासन, अधिनियम 1950 (1950 की 31) की धारा 55 की उपधारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैं इसके द्वारा इस विभाग की अधिसूचना संख्या 1/33/विशेष सेल/सी०एस०सी०/71-एस०एस०-11 दिनांक 9 अक्टूबर, 1972 द्वारा पंजाब सरकार के लिए नियुक्त सहायक महा अभिरक्षक को महा अभिरक्षक की निम्नलिखित शक्तियाँ सौंपता हूँ:—

- (1) अधिनियम की धारा 24 तथा 27 के अन्तर्गत आने वाली शक्तियाँ।
- (2) अधिनियम की धारा 10(2)(0) के अन्तर्गत किसी निष्क्रान्त सम्पत्ति को हस्तांतरण करने की स्वीकृति प्रदान करने की शक्तियाँ।
- (3) निष्क्रान्त सम्पत्ति प्रशासन (केन्द्रीय) विनियम, 1950 के नियम 30-ए के अन्तर्गत मामलों के हस्तांतरण की शक्तियाँ।

[संख्या 1(33) 71-विशेष सेल/एम० एस०-4]

न० बे० सुन्दर रामन, महा अभिरक्षक

S.O. 1367.—In exercise of the powers conferred on me as Custodian General by sub-section 3 of section 55 of the Administration of Evacuee property Act, 1950 (31 of 1950), I hereby delegate to the Assistant Custodian General for the State of Punjab, appointed vide this Department's notification No. 1/33/Spl. Cell/CSC/71- SS. II dated the 9th October, 1972, the following powers of the Custodian General:—

1. powers under section 24 and 27 of the Act.
2. powers of approval of transfer of any evacuee property under Section 10 (2) (0) of the Act.
3. Powers of transfer of cases under rule 30-A of the Administration of evacuee property (central) Rules, 1950.

[No. 1(33)/71-Spl. Cell/SS IV]

N.V. SUNDARA RAMAN, Custodian General.